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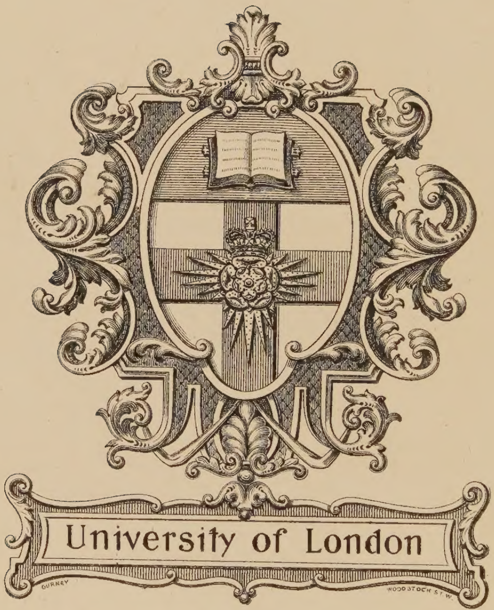

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HANSARD'S
PARLIAMENTARY
DEBATES:

FORMING A CONTINUATION OF

"THE PARLIAMENTARY HISTORY OF ENGLAND,
FROM THE EARLIEST PERIOD TO THE
YEAR 1803."

Third Series;

COMMENCING WITH THE ACCESSION OF WILLIAM IV.

VOL. VI.

COMPRISING THE PERIOD FROM
THE FIFTEENTH DAY OF AUGUST,
TO
THE THIRTEENTH DAY OF SEPTEMBER, 1831.

Third Volume of the Session.

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1832.

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THIRD SERIES.

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HANSARD'S
Parliamentary Debates

During the First Session *of the* Tenth Parliament *of*
the United Kingdom of Great Britain *and* Ireland,
appointed to meet at Westminster,
14*th June*, 1831,
in the Second Year of the Reign of His Majesty
WILLIAM THE FOURTH.

Third Volume of the Session.

HOUSE OF LORDS,
Monday, August 15, 1831.

Minutes.] Bills. Brought in; by Lord Kenyon, for the better encouragement of Agricultural Labourers. By Lord Tenterden, to enable Courts of Law to give relief against adverse claims made upon persons having no interest in the subject of such claims; for settling Controversies by Arbitration. Read a second time; Militia Pay. Read a third time; Church Building Acts Amendment.

Returns ordered. On the Motion of Lord Wynford, a list of all persons now in execution for Debt, in the King's Bench, Fleet, and Whitecross Street Prisons, with the names, time of imprisonment, and amount of Debts of each, and whether they had applied for relief under the Insolvent Act.

Petitions presented. By the Duke of Wellington, from the Inhabitant Householders and Licensed Beer Venders of Gloucester, two Petitions, in favour of the Beer Bill. By the Earl of Shaftesbury, from the Licensed Victuallers of Maidstone, against it.

Sale of Beer.] The Bishop of *London* presented a Petition from ninety-five Clergymen, of the county of Stafford, praying for an alteration in the Sale of Beer Act. The petitioners stated, that the alteration proposed to be made in the Beer Act, by the bill brought into their Lordships' House by the noble Secretary for the Home Department, would be inadequate to the purpose. They also stated, that the Sale of Beer Act had entirely failed in procuring for the poor better and cheaper beer. The right reverend Prelate added to this, that he had received a letter from the churchwardens of a parish in Staffordshire, stating that a public meeting had been held in the parish, where certain Resolutions had been passed, setting forth the alterations that must be made in order to place the matter on a proper footing. It was considered, that the price of the licenses should be increased; that the licenses should be granted only to such persons as should procure unexceptionable testimonials to their respectability and good characters; that none of the beer should be allowed to be consumed on the premises; that the beer-houses should be closed on Sundays, except during such time as was absolutely requisite for supplying poor families with beer; and also (a very material provision), that no skittle-playing should be allowed on the premises where the beer was sold. The letter added, that a great increase had taken place in the profanation of the Sabbath in the place to which it referred, in consequence of the Beer Act.

The Petition to lie on the Table.

Lay Impropriators' Tithes Composition Bill.] Lord *Wynford* brought in a Bill to provide for a Composition for Tithes due to Lay Impropriators, which he considered as a proper, if not necessary, appendage to the bill brought in by the most reverend Prelate (the Archbishop of Canterbury), for providing for Compositions of Tithes due to the Church. His Lordship stated, that, by a statute of Edward 3rd, it had been provided, that where lands were naturally so sterile as to yield no tithes, and where such lands should be improved, so as to yield a titheable produce, they should not be liable to the payment of tithes till the expiration of seven years from the time of their being so improved. The construction put by the Courts on this Statute had not given all the advantages to the cultivator which the Legislature intended, and, therefore, he had introduced clauses into the Bill, by which lands, brought in from the sea, or otherwise, so completely sterile as to yield no titheable produce, should not be liable to pay tithes in consequence of their improvement; that lands producing some titheable produce should, when improved by irrigation or otherwise, be liable to pay no more tithes than they had paid in their unimproved state; and also, that lands to be cultivated by spade cultivation, under a bill brought in by a noble Duke (Richmond), should not, in consequence of that mode of cultivation, be liable to pay more tithes than they did before. This last provision he considered as of great importance; for he was convinced, from what he had himself observed, that there was no better mode of encouraging industry, sobriety, and other virtues, among the poor, than by giving them small parcels of ground to cultivate for their own benefit.

Lord *Teynham* thanked the noble and learned Lord for the introduction of this Bill, and suggested, that it would be advantageous to introduce into the Bill some provision relative to tithes payable on the cultivation of hops.

Lord *Wynford* observed, that he was not sufficiently acquainted with the cultivation of hops, to enable him to introduce any special provision on that subject, but that, if the noble Lord himself would propose a clause applicable to the cultivation of hops, it would meet with all proper attention.

Bill read a first time.

BEER ACT AMENDMENT BILL.] Viscount *Melbourne* moved the second reading of the Bill which he had brought in for the amendment of the Sale of Beer Act. In doing so, he wished to make their Lordships acquainted with some amendments he proposed to introduce into it. In the first place, with regard to the transfer of licenses, he was anxious to withdraw that clause altogether. One great object of the Bill was, to strengthen the power of the constables in regard to the visiting of these houses. The constables had no power to enter these premises at present, except under the warrant of a Magistrate; but it was provided in this Bill, that the constables should have the power of entering these houses at any time when there should be riots in them, or when they should have company in them at prohibited hours, without any warrant from a Magistrate.

The Duke of *Wellington* threw it out, as a matter for consideration, whether it would not be proper that the hours for these houses to be open ought to be restricted to the usual hours of labour, and that none of them should be allowed to be open beyond four o'clock in the winter time, and six o'clock in the summer time. His object in this was, to prevent tippling in these beer-houses after the hours of work. He feared these houses had a bad effect on the morals of the people, by encouraging tippling at an unseasonable time.

The *Lord Chancellor* would give no opinion at that moment as to the propriety of a clause to the effect mentioned by the noble Duke, who had himself only suggested the matter for consideration. Whether the houses should be shut at four o'clock in the evening in winter, and at six o'clock in summer, might be a subject for consideration. He admitted the necessity of some regulation to insure early hours, but it would be necessary to consider whether any such provision could be introduced consistently with the Sale of Beer Act, commonly called Mr. Goulburn's Act, which went to establish competition and destroy monopoly. The great object was, to prevent the abusing the liberty and the advantages obtained by the Beer Act, without at all touching the principle. To increase the price of the licenses very much would be in effect to repeal the Act; and it was questionable whether to require peremptorily that these houses should be shut at four in the winter, and six o'clock in the summer, as suggested by the noble Duke, would not materially trench on the principle of the Act. The great object was, to give to the public the full advantage of the Act, without allowing it to be converted into an instrument of mischief.

Lord *Tenterden* agreed in the principle, that the hours during which these houses were to remain open should be limited; but did not think that they ought to be peremptorily shut immediately after the hours of labour. He thought that some time should be allowed to labourers to refresh themselves at those houses after their work; and, therefore, instead of four o'clock in winter, and six in summer, as proposed by the noble Duke, he should say seven o'clock in winter, and eight or nine in summer.

Viscount *Melbourne* thought it probable, that the evils which had been complained of, as resulting from this Bill, had been owing to the reduction in the price of beer; and the object was, to apply a remedy for these evils, without trenching on the principle of the Act. As to the shutting of houses of this description, provision had been made by law, that they should shut at ten o'clock, although the public-houses remained open after that time. Great complaints, indeed, had been made by the proprietors, that such houses had been directed to be shut at unnecessarily early hours, which deprived the public of that advantage by competition, which it was the professed object of the Bill to create.

Lord *Tenterden* hoped, that the cause of the complaint would be increased, rather than diminished in that respect.

The Bishop of *London* called the attention of the noble Secretary to a point to which he had occasion to advert before the noble Secretary came into the House—he alluded to the profanation of the Sabbath, which was occasioned by the Beer Act as it stood. As an instance of its effect in this respect he might mention a well-authenticated fact:—A young man had come home to his father's house from one of these beer-houses at a late hour on Sunday morning, and his father, in consequence, immediately called at five or six of the houses, and found persons drinking and gambling in them at that hour. A great increase had taken place in the profanation of the Sabbath, in consequence of the Beer Act, and he thought, that the time during which these houses might be open on Sundays should be limited to that which was absolutely necessary for supplying poor families with beer.

Lord *Wynford* said, it had been provided by the Beer Act, that constables might be authorized by Magistrates to enter these houses if kept open after undue hours. It was proposed by the present Bill to alter this, and to enact that the constable, in case of riots occurring in these houses, or their being kept open at improper hours, might enter without any magisterial authority; and he should propose, in addition to this, that any inhabitant of a place in which there should be any of these houses might call upon a constable to enter the houses on his representing to the constable that something improper was going on in them; and that the constable should be bound to enter on that requisition.

Viscount *Melbourne* was of opinion, that the purpose might be answered by enabling the constables to enter of their own authority if riots occurred in the houses, or if they were kept open after ten o'clock at night. As to Sundays, would not the power of taking away the license of the houses which were open at improper times be sufficient?

Lord *Tenterden*: That appears much doubted.

Viscount *Melbourne* had no objection to empower constables to enter these houses after ten o'clock in the evening, in the event of riot or disturbance, and without any warrant. He understood all such houses were shut during divine service, and he presumed the right reverend Prelate did not desire they should be closed the whole of Sundays.

The Bishop of *London* thought, that these beer-houses should not be allowed on the Sundays to remain an anomaly as compared with other shops. They ought not to be allowed to remain open during the whole day, but only for a certain time, and that merely for the purpose of selling out beer to families, without being allowed to sell beer to be consumed on the premises.

Bill read a second time.

HOUSE OF COMMONS,

Monday August 15, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. HUME, the official and real value of all British Exports to France in each year since 1814, distinguishing Colonial produce; also, an account of the official value of all Imports from France during the same period:—On the Motion of Mr. COURTENAY, the Treasury Minute respecting Superannuation allowances.

Petitions presented. By Mr. HUME, from the Inhabitants of Uxbridge, praying that they may be exempted from the Duty on Coals; from George Ingram, for an amendment of the Law relating to Debtors; and from the Journeymen Coal Measure Makers, for compensation if the Bill should pass; from certain Individuals, in favour of the Hackney Coaches Bill. By Sir RICHARD MUSGRAVE, from the

Roman Catholic Clergy and Laity of the parish of Seskinane, against any further Grant to the Kildare Street Society.

DUTIES ON TILES.] Mr. Hume presented a Petition from the Tile-makers of London, praying for the Repeal of the Duties on Tiles, in consequence of their conviction that the reduction of duty on Slates, contemplated by the Bill now in progress through the House, would very materially injure their trade.

Mr. *Briscoe* said, the prayer of the petition deserved the serious consideration of the noble Lord, the Chancellor of the Exchequer. The repealing the duty on slates, and continuing the duty on tiles, would have the effect of completely excluding the latter from the market; thus the revenue would receive no advantage from the measure, but a number of persons would be thrown out of employment, who must be supported by their respective parishes.

Mr. *Cresset Pelham* said, the pressure of the tax was severely felt in the county which he had the honour to represent.

Mr. *Courtenay* begged to inquire, whether the subject was under the consideration of the noble Lord, the Chancellor of the Exchequer?

Mr. *Spring Rice* said, that Government had, with a view to ascertain the effect of the pending Bill on the petitioners, ordered returns to be made of the amount of duties chargeable on slates and tiles.

Mr. *Briscoe* assured the right hon. Secretary, he would find on inquiry, that the charge for slating was, in general, less than that for tiling: he had himself seen bills for the two species of work.

Mr. *Hume* was obliged to the hon. member for Surrey for his support; he was convinced the tax on tiles would, if continued, be ruinous to many individuals, without producing any benefit to the revenue.

Petition to lie on the Table.

PROGRESS OF THE REFORM BILL.] Mr. *Hume* had some Petitions to which he wished to call the attention of the House, in consequence of what had passed on some former occasions. The first was a Petition from Cupar, in Fife, very numerously signed, but containing objectionable expressions. He had struck out every word that could be considered offensive. For doing this, he had received the authority of some of the petitioners, but the consent of others had not yet arrived. He was not present when it had been ruled, that petitions with erasures could not be received unless they had been sanctioned by the petitioners; but he was willing to act on the principle, as he understood it to have been established. The second Petition was from the city of Perth; the third came from the Political Union of Dundee; another from the Political Union of Leslie; and another was the Petition of the Political Union of Edinburgh. This latter petition was expressive of approbation of the principle of the Reform Bill, and of regret at the delay which had taken place in its progress. He was aware, that in order to preserve freedom of debate, it had been ruled, that no Member could impute motives to the actions of another, and he felt, that, as some of these petitions imputed motives to the opponents of the Bill, they could not be received, it being clear, that petitioners were not at liberty to do that which could not be done by Members themselves. The Perth petition assigned factious motives and attempts at intentional delay to the opponents of the Bill. The petition from Cupar did the same. He was, therefore, aware, that he could not present either of them, although he was ready to state their prayer, which was for the speedy passing of the Bill. The Edinburgh petition he should present, because it was free from any thing objectionable, merely praying the House to accelerate the progress of the Reform Bill. He abstained from presenting the Dundee petition, because it characterised the opposition to the Bill as factious, and imputed improper motives to Members. For the reasons stated, he did not consider himself authorized to offer any but the Edinburgh petition to the House. At the same time, he thought it well that the grounds of his refusal to present the others should be generally known.

Mr. *George Robinson* rose to order, and asked, whether it was competent for a Member to state the substance of petitions, which he himself admitted could not be received?

The *Speaker* thought the hon. member for Middlesex perfectly in order, and was of opinion, that the trouble which the hon. Gentleman had been giving himself, would prove extremely advantageous to the House. With respect to alterations in petitions, it had been decided, that if erasures were made by the petitioners, or with their consent, the petitions still contained the prayer of the petitioners, and might, therefore, be received by the House. But, if Members were allowed to make erasures at their own discretion, there would be no possibility of drawing a line of distinction as to what might, or might not, be altered, and petitions might be converted into supporting a totally different object from that intended by their authors. There was another objection to such a course—namely, that it would lead to the principle of causing Members to adopt petitions as their own, instead of being merely channels of conveying petitions to the House, without committing themselves to their contents.

Mr. *Hume* was glad to find, that he was borne out by the Speaker in the course he had adopted. He was anxious that popular bodies should know, that the only objection to receiving their petitions arose from their not keeping within the same restraint as to language, as the Members of the House found it convenient and necessary to do. The petition from Leslie contained an expression of indignation against the faction in Parliament, which had prevented the country from, as yet, reaping the expected benefit from the Reform Bill. The petitioners also attributed improper motives to the opponents of the Bill: on these grounds, their petition could not be presented. In conclusion, he asked leave to bring up the Edinburgh petition.

Mr. *George Robinson* repeated his objection to Members stating the contents of petitions which could not be laid on the Table: such a course must lead to loss of time, and great public inconvenience.

Mr. *Hunt* did not think the view taken by the hon. member for Middlesex of this subject had been taken by any Member previously. Petitions which he had presented had been rejected, because they were said to be couched in strong language, but not because they attributed improper motives to hon. Gentlemen.

Petition to lie on the Table.

Taxes on Knowledge.] Mr. *Hume* said, he had a Petition to present on a subject of the greatest importance, intimately connected as it was with the state of the Press in this country. It was from a number of persons who had assembled at the Rotunda, in Blackfriars-road, on the 4th of last July. The petition had been put into his hands on the 5th day of July; but he had had no opportunity of presenting it before. The petition was against all laws which prevented the circulation of truth, and which laid imposts on knowledge. No one, certainly, would deny, that the whole community should be rendered as instructed and enlightened as possible, and that ignorance was the bane of society. The petitioners prayed that there should be no longer any laws having for their object to retain the people in ignorance. Many hon. Members might not be aware of the nature of the laws at present affecting the Press. By the 60th Geo. 3rd cap. 9, (one of those laws which were commonly known by the name of the Six Acts), whoever published a pamphlet, containing information or news, of less than two sheets in size, and at a less price than sixpence, was compelled to pay the same duty as a newspaper. The rich were, by this Act, allowed to have information at the same rate as that which they had been accustomed to pay for it; but the poor were precluded from the same privilege. The result was, that for a long period persons abstained from issuing publications such as the Act contemplated; but of late, and in defiance of the law, such a description of pamphlets, containing news and information, had been published, as brought those by whom they were published under the operation of the Stamp Acts. A Mr. Carpenter was at present suffering under the odious law to which he had alluded. That gentleman had published something in the shape of a pamphlet, which the Officers of Government chose to call a newspaper, but which he called a Political Letter. Now, if there was any one thing which had a greater tendency than another to brutalize a people, it was such a law as this. Was not the whole kingdom busy in establishing schools for the poor? But of what use would those schools be, if the law prevented the working classes from having cheap publications to read? Nothing could be devised more hostile to the interests of good Government. The Act in question was passed for the purpose of putting down Cobbett's paper, a twopenny publication; the arguments and ability of which were found to be so inconvenient, that Government determined to adopt that mode of suppressing it. What was the present consequence of the law? That any man—he did not speak of particular individuals—but, that any man who might not have the good of the public at heart, in defiance of the law, issued publications, many of them containing much that was offensive; among other things, challenging the utility of the right of property, and even asserting, that it ought not to exist at all—[Mr. *Hunt* expressed his dissent.] he asserted emphatically—they did, they did; while well-disposed people, who were aware how injurious such doctrines were to the country, were, nevertheless, prevented from contradicting them in the same shape, accessible to the people, for fear of incurring the penalties of the law. He agreed with the petitioners, therefore, that a tax on knowledge, or the spread of information, was injurious both to individuals and to the community at large. He also agreed with them in the declaration, that every man who was now in prison for having contributed to the diffusion of information, was suffering unjustly. He knew no legitimate way of opposing opinions but by arguments; and that opinion which could not be met by argument, must be a sound and just one.

Mr. *Hunt* concurred in the prayer of the petition, that the Act in question should be repealed. He denied, however, the statement of the hon. member for Middlesex, that the publications to which he had alluded questioned the right of property. At least, he had never seen any such. They objected to property qualification in an elector; but that was quite a different thing.

Mr. *O'Connell* said, that he had seen several of those publications, which did impugn the right of property. They circulated that and other mischief, which no man could reply to on equally cheap terms, and send his reply among the lower classes, without defying the law, which honest and honourable men did not like to do. The publishers of such works had, therefore, a monopoly of mischief. He was exceedingly sorry that Government had not brought in a Bill for the repeal of the Act in question. It was an Act which had been levelled at an individual; and was most unconstitutional and improper. It was levelled against Mr. Cobbett, and had compelled him to raise his *Register* from 2*d*. to 6*d*. Now, though it was impossible to agree to all Mr. Cobbett's opinions, there was no man possessing a spark of common sense who must not say, that he was one of the most able and powerful writers that this or any other country ever produced. The working classes ought not to be deprived of information. They had as much intellect as their superiors in station, and understood reasoning, and, above all, facts quite as well as their masters; and it would be no difficult matter to show them, if the means were afforded, that the evils of violent revolutions in society, would be as injurious to them as to the other classes of the community.

Colonel *Torrens* cordially concurred with those who thought, that the only way to prevent the working classes from being imposed upon and influenced by injurious doctrines was, to counteract the effect of those doctrines, by rendering knowledge cheap. In proportion as they extended the elective franchise, in the same proportion they owed it to the safety of the empire to extend the means of diffusing knowledge amongst the people. If the people were excluded from knowledge, the country would never want a Swing to burn corn-ricks and break machinery. If the people had knowledge, they would see that their interests were dovetailed in with the interests of society; they would find that, however large the property of an individual, his powers of consumption were not thereby increased; and therefore, that the whole of the people had, after all, the whole of the produce of the soil. These were truths which, to those who knew them, were as clear as the sun at noon-day; but, by the present system, the people were kept in ignorance of the very first principles of political science.

The Petition brought up and read. On the Motion that it lie on the Table,

Mr. *Hunt* wished to correct an error into which the hon. and learned member for Kerry had fallen. The Act in question was not directed against Mr. Cobbett alone. There was at that time the Black Dwarf, conducted by Mr. Wooller, and a number of other cheap publications. Nor had the immediate effect of the Act been to raise the publication from twopence to sixpence.

Mr. *O'Connell* said, that being legally disqualified from selling his Register at twopence, Mr. Cobbett had been compelled to raise the price to sixpence. If the hon. Member would look at the reports of the Debates of those days, he would see that the great object was, to put down Cobbett's Twopenny "Trash;" a name which it was far from deserving.

Mr. *Hunt* observed, that the fact was, that about the time the Act passed, Cobbett left the country, and the Register was not published for a year after.

Petition to lie on the Table.

PUNISHMENT OF RELIGIOUS OPINIONS.] Mr. *Hume* presented a Petition, signed by 1,200 inhabitants of Bolton-le-Moors, for a remission of the sentence passed upon the Reverend Robert Taylor; and praying, that the House would take into consideration the inexpediency of inflicting punishment for religious opinions. The petitioners, who were the friends of free discussion, religious as well as political, expressed their alarm at the proceedings of the self-constituted body called "The Society for the Suppression of Vice." They thought, and he concurred with them, that such proceedings were not consistent with the free principles of this country. He put the individual, whose imprisonment was the cause of the petition, out of the question. That person was known to entertain opinions different from the established religion of the country. Why, a Jew, a Unitarian, a Mahommedan, a Hindoo, all held opinions different from those of the established religion; and if one was to be punished by fine and imprisonment, the others ought to be punished also. The consequence would be, the monopoly of opinion on the subject. This was a question, therefore, which was of the deepest interest to all men. He argued, that the Missionaries among the Mahommedans and Hindoos proceeded in the same way as that for which Taylor had been punished, by attacking the religious opinions of the majority in the countries to which they went. Mr. Taylor was a person who had received an education comprising all the advantages which those of the London Universities could bestow; or, as he was just informed by an hon. Member near him, Cambridge could bestow. He had taken a degree at that University, and afterwards entered into holy orders, and officiated as a clergyman of the Church of England. He (Mr. Hume) remembered he was Curate of Midhurst, where he had a liberal income, and lived in good society, as every clergyman might if he chose. When, therefore, this gentleman renounced the Thirty-nine Articles, and gave up his living and his hopes of preferment in the Church, it was impossible not to believe he had done so from conscientious motives. He surrendered his salary and his situation, and he had held a public meeting in a place which he called a church, to which he invited every man who pleased to come, and convince him of the error in the opinions he had been led to entertain. To this place, however, no person was permitted to go without paying a certain sum of money for his admittance. He accordingly protested against it as a monstrous thing, that a man should, in his private room, have his opinions taken down by hired informers. He wondered much that twelve men could be found in the country to convict Taylor on such evidence, and to condemn him for opinions uttered in his private room. He protested, likewise, against the sentence as tyrannical and unjust, and described it, first, as in fact solitary confinement for the space of two years, with the exception of his being permitted to see his friends through a grating for two hours each day; and, secondly, as solitary imprisonment for life, on account of the heavy recognizances to be entered into on his behalf at the end of the two years—recognizances which would pledge him never during his life to hold an opinion contrary to the Judge who tried him, or the majority of the people in this country. He observed also, that Taylor was deprived of all books except such as were approved of by the Chaplain or two Magistrates, and said, he was borne down at once by tyranny, mental and bodily. He detested the conduct of the Society for the Suppression of Vice in sending a spy into a man's private room to take down opinions expressed in public discussion. He disapproved of Mr. Taylor's proceedings, because he thought men owed that deference to society which should prevent them from attacking established opinions; but he considered there was no Inquisition in existence more tyrannical than the inquisition as regarded Mr. Taylor. If Taylor had delivered his opinions at Charing-cross, it would be quite right to punish him as a nuisance; but the case was very different when he confined himself to his private room. He again said, he wondered twelve men could have been found to convict Taylor on the evidence of hired informers, and to convict him of blasphemy; an offence which was not defined—though it was the same as that for which our

Saviour suffered. He protested against a man's thus suffering for an undefined offence; for where definition was not precise, oppression must exist. The punishment, he maintained, was excessive. When tried in the King's Bench, upon a more heinous charge, he had been only sentenced to confinement for one year. He admitted, that the visiting Magistrates had relaxed the severity of Taylor's confinement; but he agreed with the petitioners in praying the House to interfere in that gentleman's behalf. If they considered Taylor's offence, they would see it was merely a difference of opinion; and he submitted to the House, whether it was consistent with Christianity or humanity to persecute a man for his opinions. He submitted to them, whether it was just to condemn a man, accustomed to literary and other elegant employments, to solitary confinement, because he happened to differ from the majority in opinion. He thought that no man should be attacked for his opinions, if he did not commit a nuisance in the State. Besides, this prosecution would add to infidelity. For all these reasons, he strenuously supported the prayer of the petition. He moved that it be brought up.

Mr. *John Wood* seconded the Motion, and observed, that the fact of such respectable persons as the petitioners expressing sympathy for Taylor, was a strong proof of the inexpediency of the law under which this person had been convicted. He allowed, that Mr. Taylor set forth his opinions in a revolting way; but if persecution for opinion was suffered, no man would be safe. He looked upon Taylor as an object of pity rather than punishment.

Mr. *Trevor* said, that it was a fact perfectly notorious, that Taylor had used all means to promulgate his opinions—that he had burlesqued the mysteries of our religion—and it was for this, and not for differing in opinion with other people, that he had been punished. Those who thought that his punishment was harsh, might perhaps be inclined to consider the maintenance of any system of morality or religion of no importance. As to all that the hon. member for Middlesex had said about Taylor's education and opportunities of mixing in good society, it was clearly an aggravation of the man's offence.

Mr. *James E. Gordon* rose to express his unqualified dissent from the sentiments of the hon. member for Middlesex. He did so, first, from an impression that they were erroneous; secondly, because he had made a most unjustifiable attack upon the Society for the Suppression of Vice. He felt it necessary, therefore, to say a few words. He thought that the country was under great obligations to that Society for its exertions in the suppression of blasphemy, and he denied, that there was any analogy between the proceedings of the Missionaries in foreign countries, and of Taylor here. He denied, also, that Taylor had contented himself with holding his opinions in private. He had sought to spread them as widely as he could, by tongue and pen. In addition to his labours as a lecturer, he was the editor of a weekly publication, called *The Devil's Pulpit*, in which infidel doctrines were maintained. He likewise declared, that the persons who provided the evidence against Taylor, were not hired informers, but gentlemen, and above the necessity of receiving hire.

Mr. *O'Connell* stated, that he also had been requested to support the petition; and did so heartily, notwithstanding his abhorrence of the doctrines maintained by Mr. Taylor. Persecution would soon elevate the man into a martyr, as was evident from the fact of the petitioners sympathizing with him. And he believed, that if some steps were not taken to mitigate the severity of Mr. Taylor's sentence, the petition would be speedily followed by a subscription. As an instance of the impolicy of persecution, he remarked, that the hon. member for Dundalk had advertised a publication of Taylor's, *The Devil's Pulpit*, about which neither he, nor any hon. Member near him, had ever heard before. With respect to the Society for the Suppression of Vice, he declared it to be highly unconstitutional; because it was possible that it might chance to furnish from its members at once prosecutors, witnesses, Jury, and Judge.

Mr. *Denison* said, an unfair attack had been made on the conduct of the Magistrates of Surrey, by whose kindness many indulgences had been extended to Taylor. He was in a comfortable room, eighteen feet by twenty-four; was allowed to provide his own dinner (wine and spirituous liquors being alone denied him); he had a free supply of books and newspapers, and he was permitted to walk in the open air to a certain time each day. No charge of harshness could possibly attach to the visiting Magistrates.

Mr. *Briscoe* said, he agreed with the petitioners, that the greatest liberty ought to be allowed for the expression of opinion; but he believed that the petitioners were not aware of the nature of the offence for which Mr. Taylor was imprisoned. Mr. Taylor had advertised a lecture on astronomy, for the hearing of which money was paid at the door; but under this pretence the most offensive exhibition was offered to the eyes of the spectators, Mr. Taylor having dressed himself in full canonicals, and having addressed the assembly with a large cross hung before him. It was this which rendered the observations as to free discussion quite inapplicable to the present case. If there was any difference of treatment from that usually pursued towards misdemeanants, resorted to in the case of Taylor, he regretted it, and he thought, that there ought to be one general mode of treatment for all such persons in all the gaols in the kingdom. He was, individually, inclined to allow Taylor every indulgence consistent with the safe custody of the prisoner, and the general rules of the prison; but, at the same time, he thought that every class of misdemeanants ought to be treated in the same manner.

Mr. *Paget* said, that persecution would never put down opinion; and the real offence imputed to Taylor appeared rather to be an offence against the Archbishop of Canterbury than against God or religion; for the worst part appeared to be, that Taylor had made a disgraceful exhibition, by appearing in a clerical dress, when he was uttering irreligious opinions. The right of entertaining and uttering such opinions did not seem to be denied him. A case in favour of Mr. Taylor had been made out by the hon. member for Surrey, who had shewn, that the sentence passed on Mr. Taylor was not only severe but very unusual. Under these circumstances, he did hope and trust that the whole of the sentence would undergo revision.

Mr. *Hunt* supported the prayer of the petition, and said, that any severity not directed by the words of the sentence was against law. He had heard, that some of the Surrey Magistrates, and even some of the Jurors who tried Mr. Taylor, were members of the Society for the Suppression of Vice. He contended, the Magistrates had no authority to prevent Mr. Taylor from seeing his friends, or drinking wine. The law only prohibited spirituous liquors in prisons. He knew nothing of Mr. Taylor; but thought prosecuting him for dressing himself like an Archbishop, or making use of a parcel of mummery, was absurd. In how many plays were such exhibitions introduced, and the actors were not punished. It had been acknowledged that the rules of the Surrey prisons were severe, and he therefore wished to have a copy of the regulations laid before the House. He protested against any discretionary power being left in the hands of Magistrates. The offence of Mr. Taylor was nothing but a piece of theatrical tom-foolery. The present petition was another proof of the evil effects produced by such prosecutions. Had the trial not taken place, the people of Bolton would probably never have heard of Mr. Taylor, or the harsh treatment he was said to have experienced in prison.

On the motion that the petition be read,

Mr. *Briscoe* said, he did not believe that any of the Magistrates for Surrey, or any of the members of the Jury who tried Mr. Taylor, belonged to the Society for the Suppression of Vice. He was certain no Magistrate for Surrey would, for a moment, continue on the judicial bench in any cause to which he was a party concerned, and he believed no Juryman would serve when he would be trying his own cause. The statement, that Mr. Taylor had been put into solitary confinement, was not correct; for at first that individual had been confined with several other persons, convicted of misdemeanors, and he petitioned to be removed, which, in consequence had taken place: he now occupied a room by himself—but if there was any complaint of solitary confinement, the Magistrates were not liable to it.

Mr. *James E. Gordon* regretted that the hon. member for Kerry persisted in making personal allusions to him, which caused him most reluctantly again to intrude upon the House. He had hitherto abstained from noticing insinuations and remarks which he utterly despised, but the accusation now made called upon him for some notice. He repelled with indignation the charge, that he wished to provoke persecution. The religion he professed, and the creed he advocated, alike forbade it; with respect to the publication called *The Devil's Pulpit*, it had before been mentioned in the House, and extracts read from it. He, therefore, could not be charged justly with bringing into notice such publications. At present they enjoyed a most extensive sale, and did incalculable injury. They were made the vehicles for attacking all that was venerable or respectable in the country, and he should certainly bring the subject before the House at a proper opportunity.

Mr. *Denison* said, it was the object of his hon. colleague and himself to have every indulgence given to Mr. Taylor that his situation permitted. There was no restriction imposed upon him in particular. With regard to wine or spirits, he was expected only to conform to the rules of the prison. As a Magistrate of Surrey he knew nothing of the Society for the Suppression of Vice, nor was he in any manner connected with it, nor did he believe any of the Jury who tried Mr. Taylor were members of it.

Mr. *O'Connell* said, he was an enemy to religious persecutions of all kinds, and as the hon. member for Dundalk professed himself to be an Episcopalian, he must know how persons of that persuasion had been formerly dealt with in his own country, Scotland, where they were considered as Dissenters. This should teach him to be more tender how he interfered with the belief of others. He hoped such an enlightened country as England was not about to adopt persecutions, tending to increase the spread of opinions of a certain sect.

Petition read.

Mr. *Hume*, in moving, that the petition be printed, said, that he hoped he had said enough to convince his Majesty's Ministers that the punishment inflicted upon Mr. Taylor was excessive, and the remainder of it ought to be remitted. The sentence was, that he be imprisoned for two years, and be fined 250*l.*, and procure securities for good behaviour. It was obvious that Mr. Taylor would find the utmost difficulty in procuring bail, and the result might be his perpetual imprisonment. It was, therefore, much to the credit of the hon. members for Surrey that they had contributed to the amelioration of Mr. Taylor's condition, so far as in them lay. He hoped to be supported by Members in a motion he should make at an early opportunity, for a return of the list of the members of the Society for the Suppression of Vice. If prosecutions were to be instituted, they should be left to the Law Officers of the Crown, and not to the feelings of individuals. If the present law continued, it was reasonable, that the persons should be known who instituted such prosecutions. It had been admitted, that the regulations of the prison were harsh; they ought, therefore, to have been revised by the Magistrates, and thereby a gentleman like Mr. Taylor should have been prevented from suffering such unnecessary privations as he had experienced. On his committal he had been placed in the common room, with persons convicted of all sorts of crimes. He was obliged to attend chapel, to which he objected—received no other food than bread and water, and was wholly prevented from seeing his friends. Was that proper or decent treatment? After the interposition of his hon. friends with the Magistrates, they agreed to let him have newspapers, but he was prevented from having his own publication, *The Devil's Pulpit*. He was at length also allowed books, but none were permitted that treated upon theology, or controversial divinity. Now this was, probably, as hard as any part of the punishment. Suppose he should have the misfortune to be imprisoned, and that it should happen to be his taste to read nothing but parliamentary proceedings, how hard it would be for him if the Magistrates should order his gaoler to allow him no books with blue covers, nor any information relating to what was doing in that House. Surely it was too much for any set of men to take on themselves, at their own pleasure, thus to increase the severity of a sentence upon a person convicted of a misdemeanor.

DISTURBANCES IN MAYO AND GALWAY.] On the question that the Petition be printed,

Mr. *James Brown* said, that, seeing the right hon. the Secretary for Ireland in his place, he was very desirous of putting a few questions to the right hon. Gentleman, on the state of the county with which he was connected. It was stated in some of the public papers, that the most frightful disturbances had taken place in that part of Ireland; that they were committed, not under the cover of night, but boldly, in the open day; that the law was set at direct defiance, and the disturbances were of a character to threaten the very existence of society. Under these circumstances, he wished, first, to ask the right hon. Secretary, whether the communication which the Government had received upon this subject agreed with those statements in the public papers? His next question was, whether the Government of Ireland had thought it expedient to adopt any more vigorous measures to put down these disturbances? and his third question was, whether the Magistrates and the officers whose duty it was to watch over the preservation of the peace in Galway and Mayo, had acted with that degree of vigour and firmness which the necessity of the time required?

Mr. *Stanley* said, that if he properly understood the questions of his hon. friend near him, he should have little difficulty in answering the two first; but must decline giving any answer to the third. With regard to the first question, he regretted to say, that, although the disturbances in the county of Clare had altogether ceased, and property seemed restored to a state of perfect safety from violence, yet that there were still disturbances going on in Galway and Mayo, and he feared that some of them were of a violent character. With regard to the second question, he answered, that the Government had, on this occasion, taken all the means in its power for exercising in full force all the authority they now possessed—with all which they were now intrusted by the law of the land; and he must take that opportunity of saying, that a case stronger than that of Clare, and infinitely stronger than that of Galway at this moment—nay, even stronger than that of Mayo, with which the hon. Member was more peculiarly connected—must be made out, before the Government would be induced to come down to that House, and ask from Parliament for the grant of any extraordinary powers. Ministers would, upon all occasions, most strenuously exercise the powers they possessed; but they felt, that the evil, though it might be put down for a time by the operation of measures of unusual strength, was, in the end, rather increased than diminished by their effect. In the present instance, the Government had done all that they could, in the increase of the stipendiary magistracy, in the increase of the peace-preservation force, and in other measures of a similar kind, to put down these disturbances. Similar measures had been successful in Clare, and he trusted they would be equally so in Galway and in Mayo. With regard to the third question, he was quite sure that the House would feel with him, that it would be improper for him to give it any answer.

Petition to be printed.

LORD-LIEUTENANTS FOR IRELAND.] Mr. Stanley moved the Order of the Day for the House to resolve itself into a Committee of the whole House, on the Lord-lieutenants (Ireland) Bill.

Mr. *George Robinson* wished to know from the noble Lord, whether he meant to bring forward the Wine-duties Bill this evening?

Lord *Althorp* said, it was his intention to move the second reading of the Bill this evening, if it were in his power; but the questions regarding Ireland were of so much importance and pressing urgency, that they must first be settled.

Mr. *Lefroy* wished to ask a question of an hon. Gentleman opposite (Mr. Robert Gordon) with reference to the report of the Committee on the Dublin election petition. The report, and the evidence on which it was founded, were ordered to be printed; and it was understood that some proceeding founded on that evidence would be instituted. He now wished to know, whether the hon. Gentleman had received any instructions on the subject, and whether he meant to submit to the House any resolutions with reference to it?

Mr. *Robert Gordon* said, that he had received no instructions from the Committee on the subject. He meant, however, to submit Resolutions to the House, embracing all the principal points contained in the report of the Committee. If it would suit the convenience of the House, he would introduce those Resolutions on Tuesday week.

Mr. *James E. Gordon* inquired whether his Majesty's Ministers had taken, or intended to take, any notice of speeches which had been made by certain Magistrates at a recent meeting in Wexford? He was desirous to learn whether any proceedings with regard to those speeches had been adopted?

Mr. *Stanley* said, his Majesty's Government had not thought it necessary to take any notice of the circumstance to which the hon. Member had referred.

The Order of the Day read for going into Committee on the Lord-lieutenants (Ireland) Bill. On the question "That the Speaker do now leave the Chair,"

Mr. *O'Connell* rose to move, as an amendment, that the Bill should be committed on that day six months. He disapproved of the principle of the Bill, his objections to which no alterations whatever could remove, and he was borne out in that opinion by many for whom he had the highest respect. He always thought that, in legislating for Ireland, the greatest fault was, that those who legislated were obliged to form their judgments from report, instead of the more unerring testimony of their own observation. He could not expect, that his evidence and his views of the state of that country could overwhelm the testimony which would be opposed to him; but he would, in justice to himself, as well as to the great mass of the Irish people, state to the House his reasons for considering this Bill a bad Bill; and, in mentioning the grounds of his objection, he should rather argue against the implied than the expressed authority which the Bill went to establish. The great disadvantage of legislating for Ireland in this country was, that hon. Members took statements for granted, of the truth and reality of which they could have no means of satisfying themselves. It was said, that the system of appointing Lord-lieutenants in England acted well, and that the power of recommending to the magistracy produced salutary effects in this country. On that subject, he professed himself to be as ignorant as other Gentlemen were of the peculiar state of Ireland. But even in this country, circumstances had occurred, which showed that the Lord-lieutenants of counties must adopt certain party feelings, and of course they would give, as far as possible, the same colour to the magistracy whom they recommended. That venerable nobleman, Earl Fitzwilliam, was removed from the office of Lord-lieutenant, on account of his political principles. Now, if partizanship were thus manifested in this country, it would be found to prevail far more extensively in Ireland; and he objected strongly to placing an irresponsible power of this description in the hands of persons who might be under a strong political or religious bias. It was almost idle for him to say, that the magistracy of Ireland was not what it ought to be. Nearly one-half of that magistracy was composed of ministers of the Established Church. The curates were Magistrates as well as the rectors. He did not mean to speak of, nor even to allude to, particular Magistrates, but this he would confidently affirm, that the Magistrates, in general, were not popular; and he would not assert that they deserved to be so. With respect to the appointment of Magistrates in Ireland, that power had, for a long series of years, been most partially exercised. During the period in which a late Lord Chancellor held the seals, and when Mr. Saurin was Attorney General, it was extremely difficult for a liberal-minded man to get himself placed on the Commission as a Justice of the Peace; and it was almost hopeless for a Roman Catholic to seek for such an appointment. In fact, in the Chancellorship of the late Earl of Clare, a regular denunciation was made against those who were supposed to have a political bias. There were upwards of 1,400 Protestant gentlemen, of high respectability, in the Roman Catholic Association, and every man of them was regularly excluded from the Commission, notwithstanding every effort was made to procure the appointment of men so unquestionably qualified. The gentleman who recently filled the office of Lord Chancellor (Sir Anthony Hart), a most learned, patient, and honourable man, and, consequently, anxious to discharge his duty in the best manner, in what situation, he would ask, was that individual placed? He was determined to appoint no man to the magistracy whom he considered to be a political partizan. Now, it so happened, that the learned person to whom he alluded was surrounded by political partizans, and knowing little or nothing of Ireland himself, he took his opinion from their representations. What was the consequence? Why, acting on their views, without being aware of their object, he refused to place in the Commission of the Peace, men who were the best calculated to fill the office, and appointed the very individuals who ought not to have been selected. With respect to the conduct which had been pursued under the present Administration, he believed, that no man had any right to complain either of the appointments or of the refusals which had occurred. Reverting, however, to this Bill, it ought to be observed, that they had, at present, a known public officer responsible for the appointment of Magistrates. That officer was the Lord Chancellor. Perhaps, it would be said, that the Lord Chancellor's was a nominal responsibility; but if Reform were realized—and that it would be realized he firmly believed—there would be an absolute instead of a nominal responsibility. This Bill was brought in for the purpose of benefitting Ireland. To any man acquainted with the state of that country, it would at once appear evident that it would have no such effect. Whom would the Government appoint as Lord-lieutenants? Let them take any county in Ireland, and he would defy them to find out a man, except, perhaps, one or two, whom it would be desirable to place in the situation of Lord-lieutenant. Take, for instance, the county of Waterford (and he selected that county, because the Marquis of Waterford was not a public character, being only between nineteen and twenty years of age, and therefore he could give no offence in the allusion which he was about to make), take the county of Waterford—and what had occurred there? An hon. Baronet opposite had twice applied to be placed in the Commission of the Peace for Waterford, but his application was rejected. No man, whether the head or the heart were regarded, was more fit for the office, yet he applied twice, and twice he applied in vain. As the system at present stood, every appointment and every refusal was the Lord Chancellor's own act; but, by this Bill, they placed a screen between the Lord Chancellor and his existing responsibility. In fact, they removed all responsibility. The law had placed the responsibility on the Lord Chancellor, but, by this Bill, they took the responsibility of these appointments from the Lord Chancellor, and on whom did they place it? On nobody. The Duke of Leinster and one or two others might be an exception to the position which he had laid down; but taking the counties of Ireland generally, he believed that, in none of them, would be found a proper person in whose hands the inhabitants would be disposed to place so high a trust. In his view of the probable consequences of this measure, he could not avoid designating the Bill as "the 'thirty tyrants' Bill"—a Bill which would place a despot at the head of every county in Ireland. The consequence would be, constant bickerings and constant complaints, and the people would seek for redress in the highest quarter, and "flee from petty tyrants to the Throne." This Bill would unquestionably give many petty tyrants to Ireland; and, instead of passing such a measure now, he intreated the House to pause, and to let the matter rest until the next Session. The magistracy, as he had already observed, was badly constituted in Ireland. When three or four Magistrates, acting together, met in petty session, whatever their conduct might be, it was almost impossible to procure any redress, or appeal, with success, from their decision. They were above all law but their own. There was recently laid before that House a return of the number of applications made during the last ten years for criminal informations against Magistrates, in the English Court of King's Bench. From that return, there appeared to have been thirty applications of this nature against Magistrates, ten of them being against clerical Magistrates. In twelve cases, the application was dismissed with costs; in eight, the application was dismissed without costs; and in ten, the Magistrates were obliged to pay the costs—showing that, in one-third of the cases, the Magistrates were, to a certain degree, blameable. Even in England, the magistracy exerted an immense deal of arbitrary power. That power was not exerted against the noble and wealthy; it was wielded solely against the people. In Ireland, the case was infinitely worse. There, speaking generally, the Magistrate rejoiced in a conviction—exulted in a conviction. In such a country, the present Bill, joined to the Malicious Trespass Act, would produce the most deplorable effects. A Jury-bill had been introduced—a bill, he would say, exceedingly well considered in most of its provisions. One provision of that bill, however, was, that the list of Jurors, of special Jurors, should be struck by the Magistrates. Would they, then, under these circumstances, give such an additional power as this Bill provided, in the appointment of Magistrates? Would they take away the responsibility which at present rested with the Lord Chancellor? He was convinced that this Bill would work badly. He no more doubted, than he doubted of his existence, that the measure would create discontent and heart-burnings throughout Ireland. He believed that Ministers meant well, but they were, in this instance, acting under a delusion. In opposing this measure, he was not actuated by any political feeling; he did so, because he was certain that the Bill would render more prevalent that system of partizanship which could not be too much reprobated. He was a friend to single responsibility. If they shared responsibility amongst a number, they must infallibly destroy it. They would do so by passing this Bill, and therefore he opposed it. He had no private views—no secret motives—nothing to actuate him, but the good of his country. Under that feeling, he had thought it his duty to make these observations. He considered the Bill a bad Bill; it would be more injurious than beneficial; it would sow additional dissension and strife in Ireland, and therefore he begged leave to move, that it be committed that day six months.

Mr. *Stanley* said, that if he, or his Majesty's Ministers in general, had thought that the measure then before the House was likely to produce the disastrous consequences which the learned Gentleman apprehended from it, they never would have introduced it. The learned Gentleman was of opinion, that the Bill would increase partizanship, and would also do away with responsibility. If this struck him as being a correct position, he would be the last man to support the measure. But it was because the Bill was calculated to do the very reverse—because it was calculated to secure responsibility, and to afford a proper control over the magistracy,—because it would give to the government of Ireland a connecting link between it and the magistracy, and the public of Ireland—it was because the Bill would thus operate, that he gave it his hearty approval. It was, in his opinion, a Bill not likely to produce mischievous effects, but to prove eminently beneficial. It was, in fact, desired by former Governments, who were of opinion that its results would be most beneficial. He agreed with the learned Gentleman, that if the system in England, and which was about to be adopted in Ireland, was calculated to create despotic authority, it ought to be condemned. If this were the case, then he would admit that the learned Gentleman's objections were well-founded. But such was not the fact. Despotic authority did not exist here, neither was there any intention of introducing despotic authority into Ireland. It was very true, that in appointing to the situation of Lord-lieutenant, the Government would at all times rather select those who were favourable to their opinions than those who were opposed to them; but, during his remembrance, no unjustifiable influence had ever been manifested in the removal of a Lord-lieutenant. The learned Gentleman had alluded to the circumstance of a highly respected nobleman, who had been removed from that situation; but that was a case which could not be fairly referred to as general precedent and example. A very near relative of his own (Mr. Stanley's) had, for between fifty and sixty years, held the situation of Lord-lieutenant. Though his principles were opposed to those supported by some preceding Governments, still he was considered merely as a Ministerial officer, and Government never interfered with him. The learned Gentleman had not adverted to the expressed authority, as described in the Bill, but had directed his observations to the implied authority; and he (Mr. Stanley) admitted, that the implied authority was a fair subject for discussion. The learned Gentleman had said, that the Magistrates of Ireland were not what they ought to be—that they exulted in convictions, and triumphed over the feelings of the people. There were, he feared, many cases in which the Magistrates had not acted well. What, then, was the object of this Bill? It was to place in each county such a local authority as would be perfectly cognizant of the conduct of every Magistrate; and who could, on his own responsibility, report to Government the course pursued by the Magistrate within his jurisdiction, as well as his reasons for recommending the appointment of new Justices of the Peace. Those noblemen or gentlemen who were placed in the situation of Lord-lieutenants, would do hereafter, under responsibility, that which they could now do, by secret influence, without responsibility. There was at present no direct mode of communication between Government and the Magistrates, for the governors of counties, as the hon. and learned Gentleman must know, had only a nominal responsibility, and that defect would be remedied by the present measure. In alluding to the governors of counties, he was reminded of an observation of the hon. and learned Gentleman, and he must say, that he agreed entirely with the hon. and learned Gentleman in his observation, that responsibility was lost when it was divided amongst many. It was so divided in the case of governors of counties. Carlow had five governors, Cork five, Fermanagh four, Meath four, and eight other counties had three each. The learned Gentleman had said, that when the Reform Bill had passed, Magistrates would be better nominated. Now he could not see what effect the Reform Bill was likely to produce on that point. The hon. and learned Gentleman and he were at issue as to the probable effects of the Bill. The hon. and learned Gentleman objected to the Bill on the ground that it would diminish responsibility, and he (Mr. Stanley) advocated the Bill on the ground that it would increase responsibility. The hon. and learned Gentleman also said, that in many counties it would be difficult to find a fit person to be Lord-lieutenant. He admitted, that that difficulty would exist in some counties, but he denied, that it would exist to the extent anticipated by the hon. and learned Gentleman. In his opinion, counties so situated would form the exception, not the rule. Generally, there would be no difficulty in finding a person whose high standing and weight in the county would point him out as a fit person to be intrusted with the responsibility of this office. This Bill would, he was convinced, tend greatly to promote the residence of the nobility and gentry in Ireland. Every Lord-lieutenant of a county, when he left Ireland, would be obliged to appoint a vice-lieutenant, who, during the absence of the Lord-lieutenant, would exercise the whole of that patronage which the hon. and learned Gentleman (Mr. O'Connell) thought the Lord-lieutenants would be so anxious to possess, and so liable to abuse. This, he contended, was a direct encouragement to the Lord-lieutenants to reside in Ireland. On the whole, he had no such fear that any evil would follow from the appointments under this Bill, as he had from the continuance of the present state of Ireland, where there was no control — no link between the several counties and the Government— and no person responsible for the peace of those counties, or having any control over the Magistrates or the military. It was not necessary to enter into the question further at present. He had only to add, that his Majesty's Government considered the measure as one of the greatest importance, and he sincerely hoped, that the predictions of the hon. and learned member for Kerry, with regard to its effects, might not be verified.

Mr. *Jephson* could not conceive any thing more objectionable than the manner in which Magistrates were now appointed throughout Ireland. It was generally done on the recommendation of county Members, who often confined their recommendations to those who were useful to them at elections, so that Magistrates were often nothing more than electioneering agents. This Bill had been introduced partly to remedy that evil, on the responsibility of a Government which had expressed an anxious desire to do all it could for the amelioration of the condition of Ireland. Having no doubt of the sincerity of Ministers, and seeing nothing palpably objectionable in the Bill, he thought it his duty to give it his support. If the Bill was found not to work well, it would be in the power of the House to alter or repeal it. He could not understand the objection of the hon. and learned Gentleman (Mr. O'Connell). The hon. and learned Gentleman seemed to wish, that what he called responsibility should rest upon an individual who might be sent from England, not knowing any two persons in Ireland, and who might be placed in a focus of political partisans without being aware of it—a case which, according to the hon. and learned Gentleman, had actually and very recently happened.

Mr. *Ruthven* did not think the Bill would effect any important change. It would merely transfer to Lord-lieutenants the powers now exercised by governors of counties, and he could not conceive that one class of officers would be more vicious and corrupt than the other. Nothing could be worse than the system for a long time adopted in Ireland in appointing Magistrates. Persons were appointed without any view to their fitness or capacity, but merely in consideration of the quarter from whence the recommendation came. The magistracy was sought for as a sort of passport to a situation, and many held the commission without credit to themselves or advantage to the country. He considered the appointment of stipendiary Magistrates in the disturbed districts a beneficial measure, and he hoped it would be adopted in every district in which a doubt was entertained as to the impartiality of the local magistracy, even though that district might not be in a state of open insurrection. He hoped the Government would take the state of the Yeomanry force into its most serious consideration, and bring in some measure to remedy the evils which it created. If the yeomen were not allowed to take home their arms, the mischiefs which had occurred could not have taken place. It was a great mistake for Gentlemen to suppose, that the Yeomanry force in Ireland was amenable to military law. The hon. Member was proceeding to show, that the only punishment which could be inflicted on a yeoman for breach of military duty was dismissal from his corps, when

Mr. *Dominick Browne* rose to order. He considered that it was most irregular to lead the House into a debate on the Irish Yeomanry, when another important question was under consideration.

Mr. *Ruthven* only hoped, that upon the return of peace and tranquillity, the Yeomanry force would be dispensed with; but that, whilst it was continued, some new regulations would be made for its government, and to prevent the mischiefs which had arisen from it. He also hoped, that the best persons that could be found would be selected as Lord-lieutenants, and that they would be fully impressed with the responsibility of the situation, and give no cause for suspicion that their appointments to the magistracy were directed by partial or corrupt feelings, or by any other motive than the benefit of the country.

Mr. *Dominick Browne* said, that he should certainly support this Bill, although he was far from considering it as an unmixed good. The Bill appointed Lord-lieutenants instead of governors of counties; and it must be obvious, he thought, to every English as well as to every Irish Member, that the individuals so appointed would acquire great power. He thought it very likely that the Lord-lieutenants of some counties would acquire sufficient influence to nominate one of the Members for the county. The power of Lord-lieutenants of counties in Ireland would be much greater than it was in England, especially from the circumstance of the office of Magistrate being more coveted by the middling classes in Ireland than in England. These would be evils undoubtedly; but he thought that they would be counterbalanced by the advantages of the Bill. The Bill would assimilate the government of counties in England and Ireland, and he was always glad to vote for measures which made such assimilations. He supported the Bill, however, on a higher ground—on the ground that he considered it as a prelude to the abolition of the office of Lord Lieutenant of Ireland. As long as the Legislature of Ireland was here, the executive ought to be here also. If the present system of a privy council and an executive government resident in Ireland were continued, while the legislative body was in England, Ireland could never be any thing but a province.

Mr. *Blackney* regretted, that so foul a system of appointing Magistrates, as he had known to have prevailed in the county of Carlow for many years, should have been tolerated by the Government so long. He hoped that this Bill would put an end to the system, and therefore he supported it. In Carlow they had not the honour of having any noble Lord among them, although they were sufficiently lorded over by six Governors, one of whom had been appointed only the other day, though for what purpose he was at a loss to imagine. This Bill must do good, because any change in the present system of appointing Magistrates in Ireland must be a change for the better. It was impossible that a worse system could be devised. From what he knew of the present Chancellor, he was sure that there could be very few appointments made by him which would not be satisfactory; but he must say, that a vast number of the appointments previously made in Carlow county were disgraceful alike to the county, to those who recommended, and to those who made the appointments. He believed, that the ferment which at present prevailed, was kept up by a party of that very Magistracy whose duty it was to allay irritation and to preserve the peace.

Mr. *James Grattan* wished to have the local administration of both countries assimilated, and in that respect he believed, that this Bill would confer advantages on Ireland. He hoped that the right hon. Gentleman (Mr. Stanley) would explain to them more fully what was to be the nature and extent of the powers of these Lord-lieutenants. If it were intended to give to them, the control of the police, they would be armed with a power greater than any individual in this country possessed. In the event of the office of Lord Lieutenant of Ireland being abolished, this power would become much more formidable.

Mr. *Spring Rice* said, that the appointment of Lord-lieutenants of counties in Ireland had been the frequent subject of parliamentary inquiry, and of the recommendations of parliamentary Committees. The measure was one, too, which all the witnesses, of every condition, every sect, and every party, that had been examined before the various Committees on the state of Ireland, had united in recommending. The Bill would establish a salutary system of responsibility in the different counties throughout Ireland, with respect to the recommendation of persons to fill the office of Magistrates. The great evil of the existing state of things there was, that such recommendations now proceeded from irresponsible persons, and he had himself known an instance of an individual recommending the appointment of a person to the Magistracy, and subsequently disavowing having given any such recommendation. He agreed with his hon. friend opposite, in thinking that one good effect of the measure would consist in the power which those Lord-lieutenants would exercise with respect to the management of the Yeomanry, and he thought that it would be highly desirable, and most advantageous, that a salutary system of control, thus vested in the hands of respectable and responsible persons, should be exercised both over the Yeomanry and the Constabulary forces. This measure was founded on a similar principle to that of two other measures, the Juries (Ireland) bill, and the Administration of Justice (Ireland) bill, which also stood for discussion this night—to wit, the assimilation of the laws in Ireland to those of England, and it constituted the first step towards rendering the government in both countries identically the same.

Mr. *Leader* objected to the extensive power and patronage which this Bill was calculated to place in the hands of a single individual in each county in Ireland. It would give the power over the Representation of thirty-two counties, he believed, to thirty-two influential individuals, with their train of followers and dependents. He looked upon the Bill with great alarm, and his fears were not removed by the declaration that the Bill was to assimilate Ireland to England. Embodied, as the nobility and gentry were, in feeling and thought, against the people, he could not hail with satisfaction a measure that gave them additional power to misgovern the country they had misgoverned so long. He preferred the appointment of the Magistrates being in the hands of the Lord Chancellor to placing it in the hands of the Lord-lieutenants. They would become possessed of the distribution of nearly a million of money, annually levied by Grand Juries in Ireland: they would obtain the control of the Police, and not only the appointment of Magistrates, but the selection of High Sheriffs would fall into their hands. They would have the power, therefore, of obliging or punishing, a vast number of persons, and would, in reality, have the government of the country in their hands. He defied his Majesty's Ministers to find thirty-two unexceptionable persons in the thirty-two counties in Ireland to discharge the duties of those proposed Lord-lieutenants; and seeing the immense power which this Bill placed in their hands, he could not suppose it possible, either that the Bill would work well, or be well received in Ireland. In the presence of his Majesty's Ministers, and in the midst of the Representatives of the United Kingdom, he declared it to be his unchangeable and conscientious opinion, that, to tranquillize Ireland, the condition of the great body of the people must be ameliorated; property must relieve poverty; and every bill introduced, and every measure proposed, would be unavailing, until employment was spread over the surface of the island, and the means of the country were made, as they might and ought to be, auxiliary to the regeneration of the country. It was in their power to achieve this great blessing, without encroaching on the treasury of the country, or the benevolence of the people. Ireland wanted an honest legislation, making the soil of the country the security for any sum raised for local improvements, and properly directing all the funds now raised for the employment and education of the people. He regretted to see this uncalled-for Act of Parliament preceding others of far greater, more pressing, and urgent importance. These precautionary measures, he knew, were alleged to have their origin in the alarming agitation and excitement at present existing in Ireland. He wished the King's Ministers not to delude or deceive themselves. That agitation was grounded on the distress of the people. The great popularity of the hon. member for Kerry was founded on that distress, and the hope he had held out to his countrymen of his being able to relieve it. Let them be assured, that the popularity of his hon. and learned friend daily increased with the distress of the country, and the impatience of the people to extricate themselves from it. There was only one way to reduce the hon. member for Kerry to the level of other men who deserved the confidence of the people, and that was, by rescuing them from the excesses of a partizan military force, and opening every possible avenue for productive labour and remunerative employment. He feared this Bill would have a tendency to defeat the benefit expected from the Reform Bill, and give Lord-lieutenants of counties the nomination to seats in Parliament. He, therefore, must join his hon. and learned friend in opposing it.

Mr. *Crampton* said, that there was not a single power conferred by this Bill on Lord-lieutenants of counties in Ireland, which was not already exercised by the governors of counties, with the exception of the appointments of Colonels of Militia, which was at present in the hands of the Crown, and which this Bill gave to the Lord-lieutenants. He thought that one of its great advantages would be, that responsible persons would be placed in each of the counties of Ireland, for the purpose of recommending individuals to the magistracy. The leading evil of the present state of things was, that the power was exercised without the responsibility which should be attached to it. It was quite a mistake to suppose that, under this Bill, the Lord Lieutenant of Ireland could only appoint noblemen to the Lord-lieutenancies of the several counties there. The Lord Lieutenant would have it in his power to appoint any individual whom he thought proper to the situation; but it was most probable, of course, that men of rank and station in the different counties would be selected by him to fill those situations. He was of opinion that this measure would be very useful to Ireland, and he trusted, therefore, that it would be passed.

Sir *Edward Hayes* said, that the hon. member for Kilkenny had greatly magnified the powers which would be placed in the hands of those Lord-lieutenants. Several hon. Members, in the course of the debate, had made use of such expressions as would induce the people not to look to the laws for protection, but as a restraint, and to those who administered them, more as enemies than friends.

Lord *Althorp* said, that it had long appeared to him, that this would be a desirable measure to introduce into Ireland. From the experience which they had had of Lord-lieutenants of counties in England, he thought they might safely say, that the introduction of the same system into Ireland would not be followed by any of those evil effects which were anticipated from it by the hon. member for Kilkenny. He, for one, could not perceive how it was more likely that the Lord-lieutenants of counties in Ireland should possess the appointment of the Sheriffs, than the Lord-lieutenants in England, where, notwithstanding the long time that the system had existed, no such power was engrossed by them. He thought, that this measure was one of very great importance in the way of effecting an assimilation of the laws of Ireland to those of England. One great advantage of the introduction of such a system as this into Ireland was, that they would have persons of rank, station, character, and respectability, in the several counties there, whom they could make responsible for the recommendation of Magistrates in their respective counties; and who would take care that none but proper persons would be selected to fill that office. The Lord-lieutenants, in exercising the powers which would be intrusted to them, would, from their prominent and responsible station, be completely under the control of public opinion. One of the greatest evils existing in Ireland, but which, he was glad to say, was latterly fast diminishing, was, that no such salutary effects were produced by public opinion. That evil would be remedied by this Bill, which appointed responsible persons, who would be liable to that check. It would operate also upon individuals, who, from their local knowledge and situation, would be fairly responsible for those whom they should recommend to the magistracy, because they would be cognizant of their merits and character. Seeing that the system had worked well in England, and that they had had, from time to time, frequent complaints with regard to the magistracy in Ireland, he thought that a measure like this, which assimilated the laws of the two countries on the subject, would be attended by the best consequences.

Sir *Matthew White Ridley* said, he was glad to see a measure like this introduced, as the commencement of an assimilation of the laws of both countries, which he conceived to be a most desirable object. He did not object to the patronage which the Bill would bestow, and if the Lord-lieutenants of Ireland were not possessed of greater patronage than the Lord-lieutenant of an English county, the Bill could not be productive of any responsibility for either good or evil. He congratulated the Members of England and Ireland upon the introduction of such a measure.

Mr. *Paget* observed, that the Lord-lieutenants in England possessed great power in appointments to all county establishments. In his opinion, the appointment of Magistrates would be a power exercised with a much greater sense of responsibility in the hands of a Lord Chancellor than in those of the Lord-lieutenants of counties. In respect of rank and qualifications, the advantage would be altogether on the side of the Lord Chancellor, for Lord-lieutenants were generally men of high rank, and associated quite as little with the person whose claims to the magistracy might come under consideration, as even the Lord Chancellor. They must, of necessity, see with others' eyes, and hear with others' ears; and in what worse situation could the Lord Chancellor himself be placed? If they looked to the English magistracy, they would see, that it included a large proportion of the Clergy; and bearing that fact in mind, they must feel that the lieutenancy of the counties had not been placed in good hands. Not that he meant to cast any imputation upon the moral character of the clergy; but there was no one who paid the slightest attention to the subject, could fail to be fully aware, that the education, profession, and habits of the clergy, unfitted them for the duties of the magistracy. In his opinion, the Bill would prove anything but beneficial—anything but conciliatory. When one-third or one-half of the magistracy were of the clerical profession, what could they hope for?

Mr. *Callaghan* was sure that every one acquainted with Ireland would be perfectly ready to admit, that the Magistrates appointed under the influence of the Castle in Dublin were such as the people could not confide in. He trusted that such a change would be introduced as would leave the Commission of the Peace in the hands only of those in whom the people did repose confidence. Under the old system, appointments were made on the recommendations of persons not at all responsible; and the information which Government possessed respecting the state of Ireland came from the worst sources. He would, in particular, instance the Doneraile conspiracy as a case fully sustaining the position for which he contended. He should support the Bill, for it would probably be attended with beneficial results. The Magistrates might be better, and they could not be worse than at present.

Mr. *Hunt* had listened with attention to what was to be the first measure of Ministers in favour of Ireland. He regretted that the first step was, in this particular, to assimilate the law of Ireland to that of England, although he was well aware, that in disapproving of the magistracy of the latter country, he should not ingratiate himself with the Assembly in which he spoke, for nine-tenths of the Assembly to which he addressed himself were in the Commission of the Peace. That part of the people which he represented were very far from satisfied at the manner in which Magistrates were appointed. At present the Lord Chancellor, the Lord-lieutenants, and the Magistrates, were appointed by the Crown; but when the people really had had Representatives that made the laws, they likewise had the appointments of Sheriffs and Magistrates; and now that Ministers, or the newspapers for them, had made the people believe, that they were to choose their own Representatives, they were beginning to reflect whether they ought not to be restored to their former rights with reference to the administration of justice. As to the notion of an appeal to the Court of King's Bench against a Magistrate, it was a gross farce. Without casting any reflection upon the clergymen who were appointed Magistrates, he must say, that he thought, and the people also thought, that they were not the best qualified for such offices, as they were, in consequence, perpetually led into disputes with their parishioners, or parties residing in their neighbourhood. He must be allowed to express his regret that such a Bill as the present should have been introduced by Ministers, as one calculated in their opinion, to benefit Ireland, but which he really considered fraught with evils.

Mr. *O' Connell*, in explanation, affirmed, that he had not said a word in defence of the present system. He was sure that few of the hon. Members of that House had yet read the Bill; and, therefore, they expected from it more than it would produce. Those who knew Ireland best would feel the difficulties which must inevitably attend upon the selection of fit persons to fill the office of Lord-lieutenant. Let his Majesty's Ministers, between that and the third reading, look out for fit and proper persons—and they might then, perhaps, discover that the matter was not quite so easy as they anticipated. It had been said, that the present Bill would tend to discourage absenteeism, but he thought the tendency might be exactly the reverse; for when the gentry and the high nobility of Ireland found themselves in their respective counties over-ruled by one individual, it would most likely have the effect of disgusting them, and driving them abroad. Understanding that there were hon. Members who had not read the Bill, he would not press his amendment to a division, but certainly, in a future stage, either on the bringing up of the report, or the third reading, he would take the sense of the House upon it.

Amendment negatived, and the House resolved itself into a Committee.

Colonel *O'Grady* observed, that by one of the clauses of the Bill, the Lieutenant of the county was to have the power of appointing the Custos Rotulorum, and Clerk of the Peace. He thought this too extensive a power to be placed in the hands of an individual; in his opinion, the appointment of the Clerks of the Peace should remain with the Crown, and he hoped Government would attend to the suggestion.

Mr. *Robert Gordon* said, undoubtedly the appointment of the Clerks of the Peace was a question of some importance. He held in his hand the copy of a paper which had been laid on the Table, and by which it appeared, that the present Clerk of the Peace for the county of Limerick received that appointment when he was fifteen years of age only.

Colonel *O'Grady* said, the paper to which the hon. Member alluded, was laid on the Table in consequence of a motion of his, to bear him out in a statement he proposed to make in the appointment of the Irish magistracy.

Mr. *Stanley* observed, the case was well worthy of attention. He had not been aware of the appointment alluded to by the hon. member for Cricklade; it took place before his accession to office. The existing defect in the state of the law respecting the appointment of Clerks of the Peace, it was one object of the Bill to correct. It had been decided under the present state of the law, that a minor might be appointed to the office.

Mr. *Sheil* complained of the appointment of the inferior officers of militia being, according to the Bill, in the Lord-lieutenants of counties. Hitherto the Lord Lieutenant had appointed the Colonel, and the Colonel the Officers; he saw no advantage from the change.

Mr. *Stanley* said, it was true they had that power, and in that respect also the Bill resembled the law in England. It was a point of trifling importance, and had not been contained in the original Bill, but was introduced into it as an amendment in the House of Lords.

Mr. *Sheil* considered the alteration important; it might promote jobbing, which was not an exotic in Ireland.

Mr. *Spring Rice* thought, as the Committee had consented to the Lord-lieutenants of counties having the power of recommending Magistrates, surely no objection could be raised to their appointing officers of militia; under the existing system, certainly, several appointments had taken place which could not be defended.

Mr. *Sheil* said, the Magistrates were not paid, and they could only be appointed with the concurrence of the Lord Chancellor. The Lord-lieutenant, in their case, had only the power of recommendation, while a Lieutenant of militia received 45*l.* a-year half-pay; and as the appointment was wholly in the Lord-lieutenant the patronage would be valuable.

Mr. *Crampton* said, the appointment of militia officers would be, in point of fact just the same hereafter as it had been under the previous system, because the Lord-lieutenant appointed the Governor of the county, who was himself always the Colonel of the militia, and appointed the Officers. He thought the provisions of the Bill calculated to give the utmost satisfaction; and he saw no objection whatever to the appointment of the Officers of militia in the manner prescribed.

Lord *Ebrington* said that, strictly speaking, the Lord-lieutenants in England had legally the appointment of the militia Officers; but, in practice, he attended to the recommendation of the Colonel of the regiment to which the Officer was attached.

Lord *Killeen* wished to be informed who would have the appointment of Vice-lieutenants of counties, in the absence of the Lord-lieutenants of counties?

Mr. *Stanley* said, by one of the clauses, the Lord Lieutenant of Ireland had the power of such appointment.

Mr. *James Grattan* observed, that there were already too many clergymen in the commission of the peace in Ireland, and he therefore wished a clause to be introduced to prevent such appointments in future.

Mr. *Lefroy* objected to the proposition of the hon. Member; there were many places in Ireland in which, unless clergymen were appointed, no Magistrates whatever could be had.

Mr. *Dominick Browne* had certainly known places circumstanced as the hon. Gentleman who had just spoken described, and therefore clergymen were necessarily appointed; but where it was possible to obtain other eligible Magistrates, clergymen ought not to be appointed, and he was happy to state, the Lord Chancellor of Ireland was of the same opinion.

Mr. *O'Connell* had no doubt there were places in which no other substantial persons to fill the office of Justice of the Peace could be found than clergymen, and it generally so happened in districts where they had full leisure to attend to their duty as Magistrates. The appointment of Rectors so circumstanced might be tolerated, but when they came to appoint Curates it was too bad. He knew two or three instances of Curates, who were said to be employed at salaries under 80*l.* per annum, who were Magistrates. He could not, however, approve of a clause prohibiting all clergymen from being appointed; that would be too general. He should only recommend, that the utmost care should be taken in making the appointments.

Colonel *O'Grady* would wish to see the qualification for Magistrates increased.

Mr. *Stanley* thought the qualification should be rather too low than too high, because, from the statement they had just heard, it must be evident, that in many parts of the country, if they required a high qualification, they could have no Magistrates.

Mr. *Leader* said, the qualification ought to be at least 150*l.* per year. There was no county or barony in Ireland but what contained resident gentlemen of twice that income.

Mr. *Dominick Browne* thought the qualification of a Deputy Lieutenant should be the same as Magistrates for Road Sessions, which was 500*l.* a year freehold property, or 300*l.* a year of fee-simple.

On the question that the Chairman report the Bill without amendment,

Mr. *O'Connell* said, that before the question was agreed to, he should observe upon one part of it, which the hon. member for Cork had dwelt upon as being an advantage—namely, the having the Lord-lieutenants of counties made the organ of all communications between the county and the Government. At present, Magistrates addressed the Secretary of State, as well as the Magistrates at Bow-street, if any circumstance called for immediate communication, and the effect of the present Bill would be simply to relieve the Government and the Chancellor from the responsibility under which they now lay. It was well known, now that a Lord or a Squire of high connection laughed at inquiries into his conduct, and if a Lord-lieutenant of a county had friends complained of, the difficulty of redress would be much increased. Suppose, in the case of the Doneraile conspiracy, the proposed system had prevailed, either Lord Doneraile, or Lord Shannon, would have been the Lord-lieutenant of the county, and the connections of both were involved in the proceedings; the consequence would have been, the interposition of the Lord-lieutenant, which would, at the same time, exonerate these parties, and screen the Government from any responsibility. He would, on the first convenient occasion, bring before the House the case of Leary, who had been transported for his alleged share in the Doneraile conspiracy, with a view to show the partizan evils of the Magistrate system in Ireland, and that a Lord-lieutenant in each county could not be an efficient remedy. The peculiarity of Leary's case was, that, contrary to three remonstrances to the Irish Government of Judge Pennefather, who tried him, founded on the fact that three Juries acquitted parties on the very same evidence which was brought against Leary, and that the character of the witnesses was more than questionable, while that of Leary, a wealthy farmer, aged seventy-five, was above suspicion, the sentence of transportation was enforced by the late Irish Government. He introduced this irregularly, but he did so for the purpose of drawing the hon. member for Cork's attention to the subject, to show how little beneficial the appointment of Lord-lieutenants would be.

Lord *Killeen* said, although he agreed with his hon. and learned friend in many of his remarks, yet he trusted, that the good sense and good feeling of Lord-lieutenants and their deputies, would render for many communications to the Government unnecessary.

Mr. *Callaghan* said, as he had been so personally alluded to by the hon. member for Kerry, he must say a few words. The main reason why he wished to have Lord-lieutenants was, in order to avoid the busy officiousness of that class of persons calling themselves active Magistrates, and the chief cause for his thinking so was that Doneraile conspiracy. To his knowledge, the active agents in that conspiracy were still paid by the Government. He had seen them walking in and out of the Bridewell, as well dressed and as high in their bearing as any Gentleman in that House. He could prove that, and he mentioned it that some inquiry should be instituted by the members of the Government as to the source from whence these individuals derived the emoluments they received. He pledged himself to this fact, that the parties who had been servants of the Magistrates near Doneraile, and who had been supported from the period when they gave their information, were still maintained by the Government, and paid out of the pockets of the people. He knew Leary, a man the best and most punctual farmer in his neighbourhood, who had the best character from his landlord, but who, like many other honest people, being dissipated in his habits, and extremely hospitable in his disposition, had fallen the victim of those who entered into a conspiracy to swear against him; and these parties, though their evidence had signally failed in other cases, were yet supported out of the purses of the people. If the hon. member for Kerry would move for an inquiry into this, he would give him his cordial support.

Mr. *O'Connell* accepted at once the support of the hon. Gentleman; and he put it also to the right hon. Secretary for Ireland, whether it was not his duty also to aid in the inquiry. Leary had been the first man tried; the Jury believed the witnesses, and he was found guilty of a foul conspiracy. The second Jury disagreed; another Jury was discharged, from the illness of a Juror; on the trial one of the men was acquitted on the same testimony by which Leary was condemned; and a third trial took place at the next Assizes, when all the prisoners were also acquitted. Thus, three out of four Juries discredited the witnesses for the Crown. The Judge, as he had stated, remonstrated three times with the Government upon Leary's transportation. Sir Henry Hardinge had just then accepted the office of Secretary in Ireland; and upon his (Mr. O'Connell's) arrival at Cork, he wrote to the gallant Secretary, who most promptly answered him, stating that the affair had been decided upon before he arrived in Ireland; but at all events, the application was too late, as the convict-ship sailed with Leary on board, the day the letter was written. He would move for the communication addressed by Baron Pennefather to the Irish government upon the subject.

Mr. *Hume* considered that the Irish government ought to give some answer to the heavy charge, of these discredited witnesses being still maintained out of the public revenue. He should require to know how, or from whence, this money was supplied.

Mr. *Stanley* said, that he could give no explanation on the subject, as the matter had occurred before he had taken office. He would, however, look into it, and communicate with the hon. member for Kerry.

Mr. *Callaghan* would pledge himself to the fact, that these persons were still maintained at the public expense.

Mr. *Hume* must again press upon the right hon. Secretary for Ireland, if he wished to keep the sources of justice free, the necessity of inquiring into the alleged fact, that suborned witnesses were maintained at the public expense.

The House resumed; Bill reported without amendment.

PUBLIC WORKS IN IRELAND.] Mr. Stanley moved the Order of the Day for the further consideration in Committee of the report on the Public Works (Ireland) Bill.

Mr. *O'Connell* inquired whether the Commissioners were to have salaries, and who was to be at the head of the commission?

Mr. *Stanley* said, it was the intention of Government that they should be paid, but no provision was made for their salaries by this Bill. The amount was to be submitted to Parliament in annual votes. He wished to state, that the number of Commissioners was to be reduced from five to three, by the desire of the gentleman who was to be employed as head of the commission, and who wished for as little assistance as possible. That gentleman was

Colonel Burgoyne, of the Engineers, who sacrificed a place of greater emolument for this, and he had no doubt his character and qualifications for the office would be found of a superior description.

Mr. *Hume* understood, that two Boards of Commissioners were to be abolished, and that some of the members were to have superannuations: he wished to be informed who they were, and whether they were not competent to act under this Bill, so that the public might save the amount of their pensions.

Mr. *Stanley* said, there were four Commissioners of one Board, who could make no claim for superannuation allowances. There were three of another, who had never attended to the duties of office, and yet were in the receipt of salaries. The substituting of one set of Commissioners for these two, who would not only do all the duties the two Boards had performed, but would also include the Post-office department, would cause a saving in the public expenditure of 1,300*l.* a year.

Mr. *Hume* said, that was no answer to his question which concerned individuals only, and he desired to know how many of the old Commissioners were to have superannuation allowances, and whether, instead of receiving these, they could not perform the duties attached to the new board. He feared they might hereafter be told, if they appointed new Commissioners, that they must still maintain the old ones.

Mr. *Spring Rice* said, that when they came into the Committee, his right hon. friend would produce the name of every Commissioner, his present salary, and claim for superannuation. The Commissioners for Inland Navigation had no such claim, the object for which they were appointed being of a temporary nature. The other Board was different, the provisions of an Act of Parliament by which they were appointed, being different.

Mr. *Stanley* observed, that two of the Commissioners to be appointed had already public situations, the salaries of which would be saved on their receiving their appointments. Indeed, one of them gave up a situation of superior emolument.

Mr. *Alexander Dawson* said, the measure had been brought forward as one calculated to relieve the distresses of Ireland; he feared it could have no such effect. The principle on which it went was a loan, and the utmost care was taken by the Act, that the money to be advanced was to be repaid with interest. He could only say, Ireland might as well obtain 500,000*l.* from the Jews in the Minories, and could obtain it on as easy terms. The measure would neither promote the execution of public works, nor alleviate the existing distress. He was one who conceived the measures of the present Government, with respect to Ireland, were based on a short-sighted and most unstatesmanlike policy. Instead of bringing forward some comprehensive plan for the relief of the poor of Ireland, by the developement of its native resources, Ministers were merely treading in the steps of their predecessors with some petty pence-table temporary expedient, which could be productive of no permanent advantage. It would not even save a starving population, or keep them from inundating this country with paupers. The proper principle was, so to expend money that it might contribute to the permanent improvement of a country. If they looked to the reports of the surveyors appointed during the vice royalty of the Marquis Wellesley, they would there see a proof of his assertion, for by the money expended in the western districts of Connaught and Munster, the revenue had actually increased three or four fold. They would find villages had grown up where no house had previously existed, and that the habits of the people had been most materially amended. They might, by such means, judiciously employed, disband part of the Yeomanry and police force, for no fears could exist when the people were employed and contented. Previous to the Union, and after the Statute of 1779, Ireland made more progress in ten or twelve years than any other nation in Europe. That was effected by the principle laid down by the Irish Legislature, to expend some part of the public money in improving the natural advantages of the country, and that it was wise to encourage individuals to employ their capitals in the promotion of national works. What was the result? The Grand Canal, a most important means of communication was undertaken and completed principally by the means of individuals. Subsequently, however, a more sound principle had been laid down, which it was his desire to see imitated. It had been then arranged, that when public works were proposed, a satisfactory estimate of the probable cost should be produced, and on two thirds of the amount being advanced by individuals, the remaining third should be paid forthwith out of the public treasury. This had produced infinite good. If they looked abroad, they would find the Government of this country pursuing the same principle, by forming great canals in the American colonies, without the paltry consideration of pounds, shillings and pence. Would they not act in the same generous manner to the sister country? He objected to the present measure from its being illiberal in its principles. He proposed, that instead of a loan, a grant of 500,000*l.* should be made for the erection of public works in Ireland.

Lord *Althorp* was ready to admit, that great part of what the hon. Gentleman had said was well founded, for experience had proved, that large grants of money, if judiciously laid out, might, in the course of time, produce considerable revenues. Many large private fortunes had been created by such methods, but he was afraid that, in the present state of the finances, it was quite impossible to grant such a sum to Ireland, even with the hope of its becoming hereafter productive. As they were unable to grant money, they proposed, which was the next best thing in their power, to lend it; and the hon. Gentleman should remember, that circumstances at present were different from the circumstances of the country before the Union. He had little doubt but that Ireland would receive almost equal benefit from a loan as from a grant; and he hoped, that the giving employment to the poor would improve their condition.

Mr. *Leader* was prepared to admit, that the present condition of Ireland rendered it imperative on every Representative of that country to hail with satisfaction any measure calculated to extend employment and augment the stock of national wealth. In the many public meetings which had been held in Ireland, attended by the most influential resident landed proprietors, it had been agreed, on all hands, that a permanent national loan fund, reissuable as the instalments were paid, and again lent under suitable restrictions, would afford immediate present relief, and confer lasting benefits on Ireland. It was a common thing for hon. Members in that House to rail loudly at Irish discontent, at the existence of crime, the insecurity of property, and the emigration of the pauper peasantry to England, by which the English labourer was thrown out of employment, and the amount of poor-rates increased. But, while these unhappy circumstances were generally admitted, it was obvious that, until the present measure, there had been no attempt at a remedy. He agreed with the right hon. Gentleman, the member for the city of Limerick, that a loan would give present relief, and he was not disposed to cavil at the terms, or object to any reasonable provisions which might be introduced into the Bill, to secure the due application of the advance, and its punctual repayment. It was, however, his duty to press strongly upon his Majesty's Ministers the urgent necessity of making parishes and districts in Ireland, capable, by legislative enactment, of assessing themselves for local improvements, which had become indispensable for the improvement of Ireland. In what other way could the country be reclaimed, or the people employed? Local assessment for local improvements was not a new principle—it had been tried and had worked with facility and the greatest success in Holland. Since the right hon. Gentleman, the Secretary for Ireland, had brought in his Bill, an intelligent friend of his (Mr. John Musgrave), the brother of the member for the county of Waterford, had been to Holland, for no other purpose than to procure the most accurate information as to every particular connected with the system of public works in that enterprising and prosperous country. As he had been favoured by Mr. Musgrave with a letter on this important subject, he would shortly state the particulars on which that gentleman laid the greatest stress. His letter, and the valuable information he had given to the Committee sitting to inquire into the state of Ireland, had entitled him to the gratitude of every person interested in its prosperity. "The leading principle," he said, "of their (the Dutch) system, which is the growth of centuries, has been, 'to allow local authorities to regulate local concerns.' Each district, whether it be a parish or a province, has had the management of its own parochial or provincial concerns, with as little external influence as possible; but where public works of any magnitude were contemplated, they have, since 1795, had the assistance of a scientific general Board, called the Waterstaat, or Board of Public Works. Each province previously possessed a Board of a similar kind. The commission appointed to draw up the fundamental law, in their Report, published in 1815, consider the Provincial States to have been one of the most important and useful of their ancient political institutions, and attribute to them much of the wealth and greatness of the United Provinces. The president of that commission, Count Hogendorp, who is well known as one of the ablest statesmen and writers in Europe, yesterday told me, that the powers of these Provincial States have been too much curtailed, although they are still very great. Measures of local utility can always be better digested and decided upon by local assemblies, than by a national legislature, whose time must be insufficient even for the due consideration of laws which affect the general interests. The Dutch provinces vary considerably in population and extent; that of South Holland containing 480,000 inhabitants, while Drenthe contains only 63,000. Every province has its own States, consisting of deputies elected by the nobles, by the cities, and by the landholders, the number of deputies from each class being fixed by law for every province. They all sit together, and the governor of the province presides. All public works, charities, tribunals, schools, &c. &c. within the province are subject to their control; but works of merely local interest are under the management of local Boards or Corporations. In cases of repair, the Provincial States act by their own authority, but new works must be approved of by the Waterstaat. The dykes, and works for drainage, are generally managed by local associations, and are supported by taxes levied upon the lands, or other property benefited by them, such property being designated sometimes by the Provincial States, and sometimes by Royal Ordinances. To each province there are attached one or more engineers, who are approved of by the Waterstaat, and paid by the province; but there are also superior engineers, who are paid by the Government for a more general superintendence. The Provincial States nominate, from among themselves, a permanent deputation, who constantly assist the governor of the province, and have extensive powers, for the proper exercise of which they are responsible to the Provincial States, at their annual or other meetings. All the accounts of local authorities, which are of a public nature, are investigated by these States; and those of the States themselves are audited by the National Chamber of Accounts. In short, every province is, in most respects, a miniature of the kingdom at large. The revenues of the Provincial States arise—First, from an addition of six per cent to the national taxes within the province, which is collected by the government, and paid over to the provincial treasury; secondly, from public works, and other property belonging to the province—an instance of a like nature occurs in Cheshire, in which the tolls of the Weaver navigation yield more than 23,000*l*. per annum, in aid of the county expenditure; and, thirdly, from direct or indirect taxes, which have been submitted to, and approved of, by the King. Their powers of taxation, with the consent of the King, are very extensive, although much less than they were previously to 1795, when each province was nearly independent. The produce of such taxes is applied, under their direction, to objects of provincial or merely local utility. The ten northern provinces contain less than 2,500,000 of inhabitants, of whom more than one-third are Catholics. They consist of between 6,000,000 and 7,000,000 of English acres, or little more than Connaught; and the soil of many very extensive tracts, particularly towards the east, is as miserably poor as that of Cunnemara. The whole is divided among nearly 380,000 fee-simple proprietors. The population is, on the whole, at least as dense as that of Ireland, but nothing can be more humiliating to an Irishman than the striking contrast between the poverty of his own countrymen and the general appearances of comfort and wealth in the ten northern provinces, where their comparative natural advantages would lead one to anticipate directly the reverse. Although the poor have not here any legal right to be supported by their neighbours, their wants are relieved by public and private charities; and, in the year 1828, I find that more than one-seventh part of the entire population of the Netherlands received assistance, from permanent funds and voluntary contributions, to the amount of nearly 900,000*l*. The rich provinces of North and South Holland are, together, much less than your county, and consist wholly of islands, which are liable to be inundated by the Rhine, or by the ocean. Many parts of them are at least ten feet beneath the level of the lowest tides, and others are composed of sands, which would be blown away, if great precautions were not adopted to fix them. M. Wyebeking, an eminent German writer, has calculated, that if the public works, which exist in these ten northern provinces, were to be now executed, they would cost upwards of 350,000,000*l.* sterling; and this statement has been fully corroborated to me by the best authority here. This expenditure has, in fact, gradually created the United Provinces out of a territory, which originally was not more favourably circumstanced than Connaught; but the greater part appears to have been expended in North and South Holland. A system, which has rendered such a country, although constantly struggling for existence against the sea, or against powerful enemies, one of the most productive parts of Europe, is deserving of deep attention; and some parts at least may be usefully imitated in Ireland, whose unequalled natural advantages have not, by similar institutions, been made available in promoting the happiness of its inhabitants. When any new public work is proposed in Holland, such as an extensive drainage, or canal, or embankment, a portion of the expense is almost invariably defrayed, either from the national or from the provincial revenues, without requiring repayment from those who undertake such works. The Dutch have learned, by experience, that such prudent liberality is amply repaid by the additional revenue which arises from the increased wealth and prosperity of the improved districts. The wisdom of this policy has, even in the United Kingdom, been abundantly confirmed by the valuable statements of Mr. Telford, relative to the effects of the Highland roads and bridges, and by Messrs. Nimmo and Griffith, in their reports upon the public works which have been executed in the west and south of Ireland. These instances are principally of importance, from their demonstrating that the amelioration of the moral habits and conduct of the inhabitants, who are within the influence of those public works, fully keeps pace with the physical improvement of the country." He felt it his duty to press on the consideration of the right hon. Gentleman, the Secretary for Ireland, and on his Majesty's Government, the propriety of adopting some such system in Ireland. If it had worked so well in Holland, why should it not be adopted in Ireland? He wished the House to recollect, that in the provinces of Ireland in which industry received no assistance, the revenue was decreasing; and where industry was aided, the revenue was increasing. He held in his hand a paper, strikingly illustrative of the truth of this assertion, and which was eminently calculated to furnish strong reflections on the present state of Ireland. It was a comparative view of the Customs and Excise duties in the several ports and revenue districts of Ireland in 1820 and 1829, made from official documents. In this document, the melancholy and undoubted gradual decline in the Customs and Excise in the province of Leinster was most striking — the small advance in Ulster and Munster was likewise deserving of attention, and it deserved the most serious reflection, that the only part of Ireland in which there had been any increase in the revenue worth mentioning, was the province of Connaught, where local improvements had, for the last ten years, been encouraged by public money. He was sure, that Ireland was capable of repaying, in revenue, in the consumption of British manufactures, and in increased strength to the empire, whatever might be expended on her improvements. He assured Ministers that the urgency of the case did not admit of delay—if Ireland was to be tranquillized, and England relieved from the heavy infliction of an annual invasion by Irish paupers, this great blessing could only be achieved by the determination of his Majesty's advisers, to secure the affections of the people of Ireland, by raising them to the level of surrounding nations. Their hard lot awakened the commiseration and sympathy of every friend of humanity. They must be no longer neglected or overlooked—the reduced prices of landed produce made it necessary to glean the last grain of the harvest to supply the urgent demands of the clergy and gentry, who were compelled to tear from the people the very food they produced, to enable the absent and resident proprietors to purchase the necessaries of life.

Sir *John Bourke* commended the caution with which Government was proceeding in making any application of the public money towards the relief of Ireland. He was perfectly convinced, that when the head of the Board, to the care of which the fund now about to be granted was committed, came before the House, with a report of the proceedings of the Commissioners, and their result, a great encouragement would be given to the employment of public money, in future, in a similar manner. He was convinced, that the greatest benefit would be found to result from this loan. To provide employment for the poor, and facilitate communications were the two things now to be desired for Ireland. Although the sea on the Western coast abounded with fish, and the shore with weeds most useful for manure, yet from the want of capital, and the absence of the means of communication with the interior, the inhabitants were unable to avail themselves of the advantages. Wherever money had been expended in the promotion of public works, there the condition of the people had improved in a greater proportion than could have been expected, while the revenue was increased. This was proved in the cases of Connaught and Galway. In one town of the latter county, where public money had been expended for improvements, the revenue had increased within a few years, from 600*l.* to 900*l.* With these facts before him, he felt it to be his duty to support any measure which had for its object the promotion of public works in Ireland.

Mr. *Spring Rice* thought, that instead of indulging in this desultory conversation, the House had better proceed at once to the consideration of the report.

The House resolved itself into a Committee.

Mr. *Alexander Dawson* thought the observations of the noble Lord, the Chancellor of the Exchequer, were no apology for the smallness of the grant. Where so much as 3,000,000*l.* or 4,000,000*l.* were annually drawn from Ireland in the shape of taxation, England was bound to do more for the promotion of public works in that country than this Bill proposed. The simplest remedy for absenteeism would be, to allot some small portion of the revenue derived from Ireland to the improvement of her national resources. He was satisfied, that great advantages would accrue to both countries, if some measures were taken to facilitate the conveyance of corn from the inland districts of Ireland to the manufacturing counties of England. But the Chancellor of the Exchequer said, "He had no money, and could not afford any for a grant: his answer to that was, allow a lottery for Ireland, and you will have money enough for that and many other useful objects.

Mr. *O'Connell* said, it was curious to observe the different propositions that were made for the benefit of Ireland. His hon friend who had just sat down, thought that a system of gambling, introduced into that country, would be a remedy for some of its evils. A lottery was his panacea. Again they were told truly that Connaught although one of the most distressed and impoverished districts of Ireland, was still one of the most productive to the revenue. The hon. member for Kilkenny attempted to account for this by the amount of public money expended there, but he remembered when there was not a village in Connaught without a private still. The reduction, however, of the duty on whisky had rendered it no longer worth while to resort to illicit means of obtaining it; and the consequence had been, that 50,000*l.* or 60,000*l.* a year had been added to the revenue derived from the province of Connaught. That, he was afraid, was the sole cause of the increase to which the hon. Member had alluded. As much money has been laid out in Munster as in Connaught, and yet there the revenue had not increased. He admitted the validity of many of the objections taken to the Bill, still he was ready to accept it, because he was of opinion, that any increase, however small, in the improvement of Ireland, ought not to be rejected. The peasantry of that country were in such a condition, that something must be done for their relief; and if this Bill should be the means of furnishing any portion of them with employment, so far at least it would be productive of good. Was there a probability of obtaining an immediate grant he would press for it. But as the noble Lord had declared that the finances of the country were not in a condition to warrant him in making an absolute grant of any considerable sum, he had only to take the next best thing he could get which was the present Bill. He believed it would give employment to a small extent, and therefore he would support it.

Mr. *Stanley* did not wish to enter into any discussion unconnected with the immediate subject before the Committee, but he certainly was of opinion, that very large sums of money might be beneficially laid out in Ireland. His noble friend had stated very truly, that in the present circumstances of the country, he could not call for a large sum by way of grant. At all events, if this money was to be lent, although it would for the time have the effect of increasing the burthens of the country, yet it should be recollected, that it would not be lent, except under certain restrictions; and after it was paid, the principal and interest would be a sufficient return to the country for the money laid out. He rose, however, for the purpose of saying, that he thought it very probable that some portion of this grant would be borrowed on Grand-Jury assessments, though, at the same time, he was far from saying, that the money so borrowed would be a large portion of the whole; but there were persons who could afford to give security for the performance of public works independent of any Grand Jury assessments, which could not take place before the next assizes in March. What he desired to say was, that before that time he hoped very great improvements would be made in the existing system of the Grand Jury laws, which would tend to remove some of the heavy burthens now imposed on the peasantry. He would not enter into the subject further than to say, that an enactment relating to the proposed improvements in the Grand Jury laws was almost ready to be laid on the Table, but he abstained from presenting it until an opportunity could be found for discussing its principles by Gentlemen conversant with the making of these laws.

Mr. *George Robinson* was aware, that the English Members generally might not wholly object to this sum being made a grant instead of a loan, but while they were on the subject he must press his opinion that the landed proprietors of Ireland, should be made to contribute to the support of its poor. He alluded to this subject solely for the purpose of most strongly protesting against England being called upon to vote large sums of money, for the relief of the Irish people, exclusive of considerable sums sent over by charitable individuals, while the property of the absentee proprietor was not liable to support the paupers engendered on his own estates. The serfs, he might call them, of the absentee, were compelled to cross the Channel in large numbers, at certain seasons of the year, to obtain the means of paying their landlords' rent. They depreciated the value of labour in this country, and by these means made the landed proprietors here contribute to the support of the Irish poor, as well as their own. The wages abstracted by the Irish poor from our own labourers, had to be made up out of the poor-rates. In fact, the English proprietor partly contributed to pay the high rents which the absentee Irish proprietor obtained for his land. It was now too late to attempt to apply palliatives to the state of Ireland. That country was daily increasing in wretchedness. He had at all times wished to benefit her, and as he understood the money now proposed to be advanced would be repaid, he would not object to the measure, and had only made these remarks in consequence of the observations of the hon. member for Louth, against the principle of which he most earnestly protested.

Mr. *Spring Rice* begged to call the attention of the Committee to the question now before them, which was one particular clause of the Bill, while hon. Members were indulging in desultory observations applicable to the whole measure.

Mr. *Blackney*, notwithstanding the remarks of the right hon. Secretary, must make a few observations upon the speech of the hon. member for Worcester. In Ireland, a sum of 120,000*l.* was taken from the pockets of the poor, and retained by the treasurers of counties, for purposes they only understood. In the county which he had the honour to represent, there was 8,000*l.* or 10,000*l.* locked up in this way, to the very great prejudice of the people, and he must confess, that as an Irishman he felt himself much hurt that an English Gentleman should stand up in that House and say, the people of Ireland were dependent upon this country. The generous disposition of Englishmen had been shown when the Irish people needed it, but he hoped another part of their character was, not to boast of their good works. If Ireland was governed as it ought to be, England would not be required either to lend or give her wealth—she had enough of her own.

Mr. *George Robinson* wished to explain. He was sure the House understood him merely to allude to Ireland applying for relief, towards which its own landed proprietors did not contribute.

Mr. *Blackney* said, that during the very short time he had been in the House he had remarked, that whenever any measures relating to Ireland were brought forward, they met with comparatively little attention. He insisted that Ireland had abundant resources to support herself, and all that appertained to her, if she was only treated with fair play, and he must indignantly repel the imputation that Ireland, as a country, was in any degree whatever a burthen upon England.

Mr. *Hume* thought, the hon. Member, (Mr. Blackney) had altogether misunderstood everything which had passed that evening. He trusted, however, as he was so anxious to justify the character of Ireland, that he would be satisfied to see it placed on the same footing as Scotland. Why had not English institutions been adopted in Ireland as they had been in Scotland? The hon. Gentleman had informed them, and no doubt his authority was very good, that in his county, a small one, there was a treasury of 10,000*l.*; now, if they multiplied this by thirty counties, they would find lying in Ireland, actually unemployed, a sum of 300,000*l.* If, by any maladministration of the law, this money could not be applied to any useful purpose, that maladministration should be immediately remedied; in which case, according to the statement of the hon. Member, Ireland would want no assistance. She would then be placed in a situation in which he was most anxious to see her; but as a man who wished well for Ireland, he must say, that when the hon. member for Kilkenny came down, night after night, and asked them to do this and that, he was placing her in the situation of a beggar. He really thought, too, the hon. Gentleman wholly mistook the object of this Bill. He fully concurred in the propriety of rendering to Ireland the same assistance as to England and Scotland, in advancing all public works required to forward the interests of the country; but, notwithstanding he entertained these opinions, he must object to the present Bill. This declaration might, perhaps, be considered strange, but he would explain to the House why he held these opinions. The Irish Government, they all knew, had, over and over again, lent itself to complete systems of jobbing, which this Bill would perpetuate. Ever since he had been a Member of that House, the evils arising from certain institutions in Ireland had been constantly pointed out, and he therefore was surprised that his Majesty's Government had not brought in a Bill to remedy them. By this Bill a new Board was to be created in Ireland; but seven years ago there was a distinct Board in Ireland for the management of the receipts of Excise, and everything connected with it, and the duties of this Board were transferred to one in London, because it was found that nothing could be done in Ireland without being locally mismanaged. What occasion, therefore, had they to create a new Board in Ireland, when there was one in England intrusted with the issue of public money, which was ready to receive applications to carry on public works, without the operation of any influence either at Edinburgh or Dublin? Why were the works in Ireland to be subject to local influence? The effect of the Bill would be, to create new Commissioners, new establishments, and new accounts, to be placed, in a great degree, under the control of the Lord Lieutenant, who was to approve of, and sanction, all charges to be referred quarterly to the Treasury in London. What business could the Lord Lieutenant have with the issue of this money? Had any individual anything to do with the issue of money for public works in Scotland? The subject should be wholly referred to the Commissioners already appointed. Why open new accounts with the Bank of England, when the Inland Commissioners were ready to attend to the distribution of the loan without additional expense? It was not becoming to see officers of engineers appointed, when there were so many individuals ready and competent to give an opinion on the practicability of carrying any work into execution. He objected to the whole principle of this Bill, but not to the advance of money on proper principles. He would agree to the advance of 1,000,000*l.* instead of 500,000*l.*, if it were necessary, but he required to have it placed on the same footing as a similar loan for England or Scotland; he required it to be kept free from favour or partiality, and placed under the control of a Board established many years, the members of which were perfectly competent to the discharge of their duty. How the Government could want new appointments at all he was at a loss to understand, when there was a Board at present constituted ready to perform the duties without additional salary or trouble. He begged the noble Lord, the Chancellor of the Exchequer, to explain on what principle they were to have new accounts and new Commissioners. If the Lord Lieutenant was allowed to interfere, the management of the money would not be satisfactory. He should propose that the provisions of the

Act of 3rd George 4th, be extended, and that those Commissioners should be allowed to issue one million of money, in Exchequer bills, to Ireland. It would be the most independent course to place Ireland on the same footing as England and Scotland, and then all partiality would be done away. He had no objection to the return taking place in twenty-five years, although the expectations of Government would not be quite fulfilled, if the imaginations of those by whom this measure was advocated were founded on such extravagant premises as it contained. He had but little hopes of success, but thought he might be supported by Irish Members, when he said, that he was prepared to advance double the amount proposed by the measure, provided such advance was to be regulated on rational principles.

Mr. *Spring Rice* said, he hoped to satisfy the hon. member for Middlesex, that the Bill was founded on sound principles, and that the alterations he recommended were unsound. If his hon. friend would look at the money clause, he must be satisfied that the proceeding he advocated as the most preferable, was not neglected. The Treasury were responsible for all disbursements, and to prevent every suspicion of favouritism, all applications, whether rejected or received, were to be laid on the Table. If it was then said that the Board was not to be trusted, who must the House confide in, for that establishment was under their complete supervision? With respect to the next remark of his hon. friend, that he was ready to agree to a million being advanced, provided it was placed under the control of the Board established in London, which had the general management of monies issued for public works in England and Scotland, that part of the business certainly might be intrusted to it, but that Board must be as wholly incompetent to manage the general business to be regulated by the particular Board about to be created (and which it must be understood was to have attached to it all the duties which had been imposed upon two other Boards, which by this Act were to be abolished) as it would be, if the works were placed in Upper Canada. Whether taken on the grounds of expediency or expense, the present measure was the most feasible that could be adopted. His hon. friend had referred to the Grand Jury laws without, however, noticing that the House had been apprised by his right hon. friend, the Secretary for Ireland, that great improvements were contemplated in their machinery. If they were asked why they did not wait until this improvement had taken place, the answer would be, that such a proceeding would delay most important public works, which were wholly independent of Grand Jury presentments. He alluded to the works of Galway, Sligo, and several others, the security of which could not be doubted. It surely would not be said, because the Grand Jury laws were to be reformed in the ensuing spring, that this Bill was to be delayed, at the risk of all sorts of disorders prevailing throughout the winter, for want of employment for the labourers. His hon. friend must at once perceive, that it would not be the means of adding sixpence to the Grand Jury assessments, because the Summer Assizes were over, and the new Bill would be before Parliament previous to the commencement of the Spring Assizes. The hon. member for Middlesex ought to have deferred his objections until the Commissioners had been appointed, and he was not correct in supposing, that the Treasury was not strictly looked after, or that the provisions of this Bill could be carried into effect by the gentlemen who undertook the issue of Exchequer bills in Broad-street.

Mr. *Robert Gordon* said, he quite concurred, as he hoped the House did, in the views taken by the hon. member for Middlesex. He had felt much surprise at the opinions delivered by the right hon. Gentleman who spoke last, when he recollected what was the Report of the Committee on Irish Salaries, to which he would refer the right hon. Gentleman. It was his own Report, drawn up by himself. He would there find it affirmed, that the Commissioners for public works never attended at all, and never did any duty whatever. If he was not mistaken, the right hon. Gentleman there recommended to Government the entire abolition of that establishment, the expenses of which amounted to 4,856*l.* per annum—the duty being the annual distribution of about 3,500*l.* of public money. In 1829 this small amount was reduced to 2,000*l.*, and yet the salaries remained the same. He would, therefore, ask, whether the Commissioners of Inland Navigation could not be removed? There were abundance of means to have their duties performed without a new Board being established, as would appear to every one who would take the trouble to read the Report. The London Commissioners were intrusted with the annual distribution of 3,500,000*l.* public money, and their average expenditure was about 1,500*l.* a year. Let the House compare this with the expenditure and distribution of the Commissioners for Inland Navigation in Ireland, and he was sure, that it would conclude that the whole measure required the utmost consideration.

Mr. *Alexander Dawson* said, he certainly wished Ireland and Scotland to be dealt with equally. A million of money had been granted for the Caledonian Canal; and one half of the cost of roads and bridges had been defrayed at the public expense. He entirely approved of the undertaking, as it had very materially contributed to the civilization and improvement of the northern parts of Scotland, although the returns did not exceed 3,000*l.* a-year.

Mr. *Hume* said, his hon. friend mixed up things together which were quite different. He wished to consider the subject then before them, without any reference to other subjects.

Sir *George Clerk* said, he could not permit one observation, relating to the Caledonian Canal, which had fallen from the hon. member for Louth, to pass without some comment. He had said, that he considered that work as a strong proof of the advantage of expending public money in the improvement of the country. He and others took a very different view of the case. It had never been a favourite with Scotch Members, and had its origin in the caprice of certain other persons, who fancied it would benefit the empire at large. On such representations 1,500,000*l.* had been voted and expended, and the result was, that the tolls barely paid the expense of levying them. Could there be a stronger argument against the outlay of public money than this? The professed object of the canal was, to furnish employment to the Highlanders of Scotland, but not a man of them had been employed: the whole of the labourers were furnished by Ireland, who inundated the country as soon as the rumour went abroad that such a work was to be undertaken. He must add a few words respecting the subject now before the House. He concurred with the hon. member for Middlesex in the belief, that the proposed Board was wholly unnecessary, and that it would be better to double the amount, and place its disposal in the hands of known Commissioners, rather than establish a set of new ones. The only argument in favour of the newly-created Board was, that it would personally decide whether undertakings were desirable or not. He doubted this. They would soon find dependants upon whose information they would rely. If Ministers must have a new Board, surely they might select the Commissioners from some of those whose offices were to be abolished, and thereby save their pensions and superannuation allowances. He considered that the only object was, to create patronage, but he would not oppose it further than thus to state his opinions.

Mr. *Warburton* thought it far preferable to advance money for public works by way of loan than by gift, and he hoped to convince Irish Members that such was the case. It was well known, that in the latter case, persons of superior influence obtained all the advantage of the outlay, and the public only derived the advantage of the temporary employment it created, while the substantial benefits would remain in the hands of those who possessed influence. In short, it would be a job. If, on the other hand, the money was advanced as a loan, it would be employed in the embankment of rivers; the construction of roads and bridges, and other works of public utility. The money advanced for the Caledonian Canal had been partly a gift and partly a loan; it was never expected, that a return would be made for the money expended. Although he did not go to the extent of the hon. member for the county of Edinburgh, in affirming that that work should prevent them from engaging in others of the same description, yet it furnished a strong proof that Commissioners who were not responsible for a return of the money, employed it carelessly. As a loan they must be cautious how they advanced it, and whether the security for its return was sufficient. On every point of view, therefore, he was in favour of a loan rather than a grant, and he hoped the Irish Members would be of the same opinion.

Mr. *James Grattan* took the same view of the case as the hon. member for Bridport, and was fully convinced, that a loan, placed in the hands, and to be used under the authority, of a body of intelligent men, responsible for the proper application of it, was preferable to an absolute gift. Employment, or Poor-laws, to support the starving peasantry, were their only resources, and large loans, judiciously applied for the furtherance of the former, was infinitely preferable to the certainty of the latter. If the money to be expended was an absolute grant, it would merely go to improve private property at the expense of the country. He approved, therefore, of the propositions now before them, and would support the further views taken by the hon. member for Middlesex, to increase the grant if placed in proper hands. He should prefer the money being placed in the well-tried hands of the London Commissioners to being intrusted to new men. He had seen the evils of bad management in the misapplication of money advanced with the best intentions, and he was therefore anxious to prevent similar results. In one respect, he feared, the Bill was defective. The money would get into the hands of Grand Juries, who could generally give the best security, but were so addicted to jobbing, as, he feared, would prevent the full benefit of the advance being obtained by the public; and therefore, when they came to that part of the Bill, he should call the attention of the House to that point.

Mr. *Wyse* said, if the opinion of the Committee were as unanimous as the right hon. member for Limerick seemed to suppose, in favour of the principle of the Bill, he should certainly deprecate, as ill-timed and unnecessary, any further discussion, and urge, without delay, its immediate consideration; but as far as he could perceive, it was not yet decided whether the principle of the Bill was good or bad. Some hon. Gentlemen contended against the object, others against the machinery, others against both. Each of these questions was an ample subject for debate, and as he considered that several mistakes had been made by those who preceded him, he must revert to them. The object of the present Bill was, to promote public works in Ireland, and thereby stimulate the industry and civilization of individuals. If this object could be attained, every one must admit, that it would be laying a deep and broad foundation for the future happiness of Ireland. On this point he hoped, with the extended information they possessed, that very little doubt could exist. Let any one examine the reports of Mr. Griffith, Mr. Munro, Mr. Grantham, Mr. Killaly, &c., and he would see ample evidence of the benefits, which could be conferred upon the most ungrateful soil, and the most secluded and remote districts of the country by a judicious outlay of capital. The great belt of bog stretching across the centre of Ireland, situated most advantageously for draining, by its level above the sea, its contiguity to great rivers, the nature of its material, the proximity of admirable manures, was sufficient to allure and justify the largest expenditure of human industry and capital. Look to the intercourse, whether by land or water, what a number of links and chains of communication might be established. In England, 4,800 miles of inland navigation stretched its various ramifications in all directions, and diffused activity, wealth, and prosperity; in Ireland there was not more than 490. The whole expenditure on the former had amounted, according to Mr. Nimmo, to 30,000,000*l.*, and in Ireland to not more than 3,500,000*l.* The Shannon offered 234 miles of continuous navigation; 2,000,000 acres were situated on its shores; yet the report of Mr. Williams proved the disgraceful neglect into which it had been suffered to fall, through the apathy of Government, or of Companies to whom Government had transferred its rights. Not more than one bridge was to be found. Now, this separation of province from province was seriously injurious to the commercial interests, as well as to the moral habits of the people. The late distress in Mayo partly arose from the want of communication. Potatoes, which could not be had there, except at the highest famine price, were selling in the neighbouring districts for less than the ordinary value. In Tipperary, at no great distance from the Shannon, they scarcely repaid the price of cultivation. To improve the communication between different parts of Ireland, and in particular to improve its inland navigation, was a mine of wealth which might be explored with the greatest advantage, both to the Government and to individuals—to enrich the State and mend the fortunes of private men. The hon. member for Galway had asserted, that Connaught had advanced in prosperity; and certainly these new districts had advanced beyond the most sanguine expectations, by the simple opening of communications with more cultivated portions of the country. He need hardly instance the case of Clifden, put forward with so much force by Mr. Nimmo. In a few years a town, not consuming, at first, a single article of exciseable commodities, returned to the Exchequer no less than 6,000*l.* per annum. Look again at the fisheries, which, even with so niggard an allowance as 5,000*l.* per annum, granted for a short period, had shewn a constantly-augmenting prosperity. But the hon. member for Edinburghshire, probably, was incredulous, and measured every expenditure of public money by the scale of jobbing in the projection and management of the Caledonian Canal. But there were other works executed in Scotland, to which the hon. Member might have adverted. He might have referred to the Reports of the Highland Road Commissioners, especially to the Report of Mr. Telford, in 1803. The expense of these roads was trifling, indeed, compared to their utility. Nearly 1,000 miles of road were executed for the small cost to Government of 150,000*l.*, and the advantages in a country, which, in 1702, was altogether without roads, were so great, that Mr. Telford declares it was advanced thereby at least 100 years in civilization. The Commissioners declared, "That the want of further roads and communications has hitherto proved the greatest obstacle to the introduction of useful industry there; and that every attempt for that purpose must fail, until regular and easy communication is afforded from one part of the country to the other, and more especially from remote points, where there is the best field for useful exertion, to the present seats of capital and industry;" and they stated, "That the empire at large being deeply interested in those improvements, as regards promoting fisheries and increasing the revenue and population of the kingdom, justifies Government in granting aid towards roads and bridges, in a country which must otherwise remain, perhaps for ages, imperfectly connected." Such were the objects contemplated by the present Bill; objects which had not only been regarded in Scotland, and in England, but in France, in Holland, in Sweden, in America, in every country in the civilized world, as of the utmost moment to the well-being and security of the State. But the exception taken was not so much to the object, as to the machinery by which it was to be attained. He did not assent to every portion of that machinery, although he could not acquiesce in the opinions of the hon. member for Middlesex. If they were simply about establishing some mode for the issue of 500,000*l.* Exchequer-bills in Ireland, the reasoning of the hon. Gentleman would be perfectly just; but they were about to establish a Board, which should have under its superintendence the great roads, the inland navigation, the fisheries, the public works, and the superintending the issue of the funds already granted, for carrying on all these. Did the hon. Gentleman seriously think, that one individual, though gifted with the powers and activity of the hon. Gentleman himself, would be capable of conducting all these? But surely said another hon. Gentleman, all these have been provided with their Boards already. Very true; but these Boards did very little, and were to be suppressed. The Bill provided for the consolidation of the duties and powers of each in that of the new Board. There were thus two purposes for which this Board was to be established; the one, the issue of these bills, the other the administration of these departments, and what might be sufficient for one, would not be for both. The hon. member might think that such Boards had never much to do—they certainly never did much—but what they neglected to do was important, and ought long since to have obtained the most solicitous attention of Government. Take the instance of the Shannon; would any man say, that the navigation of that river was not of the utmost importance to Ireland, and that Government, in whose hands it was, should not suffer it one hour longer to be neglected? So it was with their fisheries; laws had been made which it was not possible, under the present circumstances of destitution, for the fishermen to obey. Every description of fishing, but deep-sea fishing was prohibited; but where there was a dangerous coast, no piers or safety-harbours, and few boats, deep-sea fishing was impossible. But the chief difference among hon. Members appeared to be, as to the manner in which this issue ought to be made. Some hon. Members were for an absolute grant—others for a loan. He had more than once expressed it as his opinion, that whatever money might be allotted to Ireland, should be divided into three portions, one to be applied in conditional grants, that was, half to be granted on the other half being subscribed by the applicants; the second, absolute grants to Government, for the execution of works on its own responsibility, particularly for the extension of the great mail-coach communications of the kingdom—the great lines of internal navigation, and other objects of a general and national character, the expenditure repayable by tolls upon such works (Government being, of course, accountable to Parliament for such expenditure and the receipts); and the third, applicable to loans, on joint or individual security. The present Bill applied 500,000*l.* to the last of these purposes, but not more than 50,000*l.* to the first, for which he conceived there was a far greater necessity and demand. The Highland Roads Commissioners, and the Fishery Board of Ireland, found such applications of public money productive of the greatest public and private benefit. Grants to Government, for specific works, on their own responsibility, would, he hoped, be attended to. The navigation of the Shannon, of which Government was proprietor, or rather trustee for the public, demanded immediate care. With regard to the application by way of loan, various objections had been urged. The former misapplication of similar grants had been alluded to. It was very true, that large portions of the 500,000*l.* recently granted were directed to purposes very different from those originally intended. A portion was borrowed by the Manchester Rail Road Company, through the influence of the late Mr. Huskisson; another portion was still locked up, intended for the Ulster Canal Company, though it was said, the original shareholders never completed their subscriptions. Much too large a sum, he also understood, was applied to the building of court-houses and gaols; yet, with all these drawbacks, it was incontestible, that very essential and permanent advantages had resulted to the country from such grants. A strict eye was now fixed upon such disbursements; and public opinion operated with more efficacy, and to a greater extent, on the conduct of public officers than formerly. He was not so sanguine, indeed, as to expect that this Bill would, as by miracle, exorcise from the land that overwhelming pauperism which now infested it. Some extensive and searching remedy, he was afraid, would be necessary, and, ere long, must be applied. But whether poor-laws be introduced into Ireland or not, the present measure could not be otherwise than beneficial.

Mr. *Sadler* said, he had employed much time and attention in endeavouring to improve the condition of the Irish peasantry, and he feared the details of the present Bill would go in a great degree to defeat a measure he contemplated, for the establishment of a system of Poor-laws in that country. He saw no other objections to the principle of the Bill at present before them, and should not oppose the amount of the loan being increased, if the details of the operation could be improved; for to them he objected. Ireland was in such a situation, that no other measure than an improved system of Poor-laws could permanently relieve her. The present measure would, at the best, only alleviate for a time the distress, to return hereafter with a greater pressure. The present Bill tended to establish a kind of state-pawnbrokers. These grants always led to gross jobs: on this account he disapproved of them. The best men that Ireland had produced were of the same opinion. It was most necessary, before they gave power into the hands of untried men, that they should be very cautious. He did not intend to oppose the grant, but he should certainly persist in introducing his plan respecting a system of Poor-laws for Ireland the first opportunity, and should, in general, adopt the same view of the subject as was taken by the Irish Parliament about fifty years before.

Mr. *Sheil* was decidedly in favour of the Bill. He certainly thought, that the Irish were entitled to some share of the patronage of Government, as far as was consistent with the proportion of contribution she paid to the general exigencies of the United Kingdom. All the expenditure of the State ought not to circulate exclusively through the great departments of the metropolis. If there was to be patronage, let it not be monopolized. He should undoubtedly prefer a gift to a loan, as some compensation for the enormous drains Ireland was exposed to. Not less than 3,000,000*l.* a-year had been for many years spent by Irishmen in England, without any equivalent in return. The Irish quit-rents, too, had lately been sold for a sum of 80,000*l.*, and no account was given of the appropriation of this money, further than that it was understood the amount had been expended to increase the magnificence of London. He was happy to perceive, by the Debate of this evening, that Irish affairs were likely to be discussed hereafter with moderation and temper.

Mr. *Courtenay* merely rose to make an observation in reply to the hon. Member who spoke last but one, and who seemed to think the details of this Bill would obstruct the introduction of his measure for establishing poor-laws in Ireland. He took a different view of the subject, and thought it would facilitate the progress of that measure. He conceived that any measure which tended to give employment to the lower orders of that country, must facilitate the introduction of a system of Poor-laws. He agreed in the opinion, that the granting of money in the way proposed by this Bill, was likely to encourage jobbing. He believed that such would be the result. For thirty years that he had been in official employment, he had seen during three months more jobbing in Ireland than he had witnessed during the remainder of the thirty years.

On the question that the blank in the Bill be filled up with the number 500,000,

Mr. *Hume* said, he had no objection to double this amount, if it was placed in the hands of the Commissioners sitting in London. He could not comprehend what occasion there could possibly be for creating the unnecessary Board proposed. It was certain, from the evidence taken before the Committee on the Irish Estimates, that the duties performed by the Inland Navigation Commissioners might be transferred without any difficulty whatever. They had no satisfactory evidence of the duties to be performed by the three individuals about to be appointed; besides, the issue of Exchequer bills, and the management of the works, were two perfectly separate and distinct things. It was impossible, therefore, for him to consent to any one clause in this Bill; at the same time he wished it to be understood, that he was willing to grant 1,000,000*l.* if it were necessary, provided the control of the money was placed in proper hands, and not vested in a new set of Commissioners. He would put it to the right hon. Secretary at War, as a member of the commission for simplifying accounts, whether he could read this Bill, and not at once perceive that the whole arrangement was directly contrary to the principle on which they ought to proceed? He could only say, that it was diametrically opposed to the principles on which Government had hitherto proceeded, and on which he had given them credit for intending to act.

Mr. *Stanley* said, that the Board alluded to by the hon. member for Middlesex had peculiar duties to discharge, which were quite sufficient to occupy the whole of its time.

An *Hon. Member* wished to know what those duties were, and he thought it might be advisable to ascertain them by a Committee up-stairs.

Mr. *Stanley* said, the Board had the duty of superintending all public works in Dublin; it took charge of all affairs relating to the Shannon, and superintended generally all the internal affairs of Ireland of this description. He thought, the Irish Members would agree with him that such duties could not be conducted with advantage to the public interests by any other establishment.

Mr. *O'Connell* said, he did not yet understand what public works there were to attend to.

Mr. *Stanley* said, all the public buildings connected with the Government.

Mr. *Hume* was still of opinion, that the duties could be performed in the manner he had suggested, and that no other Board was necessary.

Mr. *Warburton* said, there was no time limited in the Bill when these issues were to cease. That was a defect, the time ought to be correctly specified. As he understood the wording of the clause, it would imply, that there was to be a permanent transfer of capital from England to Ireland, which was objectionable.

Mr. *Lefroy* said, it would be preferable to have an efficient Board in Ireland to an inefficient one here. He suspected, however, that one object of the Bill was, to make a provision for certain individuals, by giving them salaries. The utmost care should be taken that competent persons were appointed.

Mr. *Hume* wished to know to what period the issue of these Exchequer bills was to be limited, and he presumed, that the usual rules applying to bills of this character would be observed.

Mr. *Poulett Thomson* replied, that the period would not exceed three years.

Mr. *Hume* thought it was most important that efficient persons should be appointed Commissioners, and he had some doubts, from what he had heard, that this was not likely to be the case. He wished to know the names of the two additional Gentlemen to be appointed, making five instead of three.

Mr. *Stanley* replied, that one of them was Mr. Radcliffe a member of the present Board of Inland Navigation, who had been brought up as an engineer, and was conversant with public accounts.

Mr. *Hume* said, it was a singular appointment to take a member from a Board which it was the right hon. Gentleman's object to show was inefficient.

Mr. *O'Connell* doubted very much whether Mr. Radcliffe had ever been an engineer.

Mr. *Spring Rice* said, he had been an engineer, and was employed under Colonel Burgoyne during the late war. He had been appointed to his present place by the late Government.

Mr. *Robert Gordon* remained of opinion, that the contemplated Board was unnecessary. He held in his hand a statement of the expenditure by the Board of Inland Navigation. There were two Commissioners, with a salary of 525*l.* per annum each, and their chief business was to superintend the management of 1,698*l.* a-year. It certainly could not be necessary, on the abolition of such a Board, to establish a new one to perform such duties.

Mr. *Warburton* wished to know, what occasion there was for any other persons but engineers to be appointed.

Mr. *Stanley* in reply to the hon. Gentleman, must acquaint him, that the Board would have very difficult and complicated public accounts to keep, and persons not accustomed to them would not be competent to arrange them. Five Commissioners were necessary to manage the business.

Mr. *Hume* said, that if Ministers really wished to appoint efficient Commissioners, they could not do better than follow the course which he was about to suggest. The wording of the clause at present was—"It shall and may be lawful by warrant or warrants, under and by virtue of the Royal Sign Manual, to nominate." Now, there he would stop, and insert something to this effect:—"The Commissioners now acting under the 57th George 3rd and 3rd George 4th, to be the Commissioners to execute the provisions of this Act." The effect of such an amendment would be, to transfer the duties to the Commissioners in London, who would carry on the business, as far as the advance of money was concerned without any additional expense. He held in his hand a copy of the Act, to which the names of the Commissioners were affixed; and they might appoint Colonel Burgoyne, or any other officer, to reside in Dublin, and report on the fitness and expediency of the different undertakings. He hoped, that one simple plan of this description would be adopted in England, Ireland, and Scotland, when the whole business could be conducted with much less expense, and great advantage to the country.

Mr. *Crampton* begged to assure the hon. member for Middlesex, that the Board of Works in Ireland had very important duties to perform, the whole of the public works were under its charge.

Mr. *Hume* said, would his hon. friend have the goodness to point out these works? He knew of none but those connected with Phœnix Park and the Castle.

Mr. *Stanley* said, the Board must sit in Ireland to superintend the proceedings. They had 310 miles of road under their own care and management a part of which consisted of the Holyhead road, the other parts were divided into small parcels which required much more care in their arrangements than if they were connected. He begged to call his hon. friend's attention to the papers on the subject of inland navigation, by which he would perceive that the duties of the Board were of an important character. The money would be demanded probably for objects of a local nature as well as for public works. Of course these must be judged of on the spot. His hon. friend said, they might have a superintendant, but that would not answer; they must have one always in Dublin, and another ready to go when called upon. This Bill, however, did not include salaries for the proposed Commissioners: when they came to the Miscellaneous Estimates was the proper time to discuss that question.

Mr. *O'Connell* wished very much to know where the roads were which this Board had under its superintendence. The roads in general were turnpike trusts, or under Grand Jury assessments. At least, all that came within his knowledge were so.

Mr. *Stanley* could not mention where every one of the roads was situated. He knew of several, however; among others, were the roads from Limerick to Ashbourn, and from Kilkenny to Kenmare, which were under their management.

Mr. *O'Connell* said, the right hon. Gentleman was, no doubt, correct. The Grand Jury presents, the county pays, a third party superintends, and finds a fourth party to contract for the execution.

Mr. *James Grattan* said, such a divided responsibility was absurd, one efficient person was much better calculated to get the business properly done. An able engineer, such as Colonel Burgoyne was described to be, would provide proper persons to act under him.

Mr. *Jephson* said, he believed the Ireland Commissioners acted through the agency of Surveyors appointed by themselves, and the Board to be appointed would do the same. It would, therefore, be of little consequence where the Board sat. The arguments of the hon. member for Middlesex had great weight; the business should be conducted by some general system, applicable to all parts of the United Kingdom. He did not see the necessity of separate Boards, which only served to prevent any efficient control being had by that House over their proceedings.

Mr. *Hume* said, the Bill professed to have three objects in view, which were, an Issue of Exchequer Bills, the Management of Public Works, and the improvement of Inland Navigation in Ireland. These ought to be under separate heads; but when it was proposed to establish a Board in Dublin to embrace all these, its machinery must be complex, and confusion and irresponsibility would be the consequence. If the authors of the measure wished to avoid all suspicions of patronage, if they were anxious to have the public accounts simplified, and responsible officers to call upon, they pursued the worst possible method to obtain their object. If they really wished to obtain these desirable ends, combined with an economical application of the public money, let them appoint an able intelligent and experienced engineer to superintend the executive part, and he understood they could not make a better choice than Colonel Burgoyne; allow him to select proper persons to carry his orders into execution, and make him responsible to, and communicate directly with, the Treasury, or with the Board already established in London, and direct the documents and accounts to be placed on the Table of the House. There would then be no occasion for all the machinery to be created by the Bill. Something like such an arrangement, it was his opinion, from all he had heard in the course of the debate, would be the most advisable proceeding.

Sir *John Bourke* said, if the Board was to be a deliberative body, it ought not to consist of less than three members. He approved of the establishment, and thought the personal attendance of the various Members would be necessary in different parts of Ireland. There were works required on the Shannon, such as Piers, embankments, &c. which would employ many persons. At the same time other works might be going on in distant parts, so as to make it impossible for one person to attend to the whole.

Mr. *Callaghan* said, that with whatever parties the direction might rest, they ought to be resident in Dublin. A Board of Commissioners in London would not be efficient for the purposes required. He by no means, however, approved of the machinery to be established, it looked like providing places for several Gentlemen. The engineer to be appointed should not be one of the Commissioners, but act under them. As to the remark that this bill did not provide salaries for the Commissioners, if once they were appointed, the House would have little discretion left as to paying them. He should recommend postponement of the measure.

Colonel *O'Grady* could by no means consent to leave the whole business to one engineer, he thought the appointment of a Board necessary.

Mr. *Hume* said, they much underrated the talents of Colonel Burgoyne, if they did not think him adequate to superintend the application of half a million of money, when they knew that Mr. Telford was found competent to direct the expenditure of six times that sum. He should therefore move as an amendment, that to carry into effect the appropriation of 500,000*l.* in Exchequer Bills to be advanced for public works in Ireland, the Commissioners appointed by the 57th Geo. 3rd, and 3rd Geo. 4th be appointed. These were unpaid Commissioners. He did this to make provision for the appropriation of Exchequer bills. This might be done by the Commissioners in England, and they might appoint Colonel Burgoyne to superintend the works in Ireland, as Mr. Telford had been appointed in England.

Mr. *Spring Rice* contended, that it would be absurd to re-appoint these Commissioners. Some of them were dead, and of the disposition of the others to act the House could know nothing.

Mr. *Hume* said, his hon. friend had given an additional reason to postpone the consideration of this subject. The extra trouble to the Commissioners already existing would be very trifling. All applications made to them would be referred to their engineer, and he had no doubt they would be ready to act if requested.

Mr. *Robert Gordon* wished to inquire from the right hon. Secretary, if a Board of unpaid Commissioners could not be found in Dublin?

Mr. *Stanley* thought it would be very difficult.

Mr. *O'Connell* said, as they had much important matter connected with the Reform Bill to go through the next day, and as it was very late, he would move, that the Chairman report progress, and ask leave to sit again.

The House resumed; the Committee to sit again on Monday next.

Canadian Revenue Bill.] The Bill went through the Committee, and was reported without amendment.

On the question that the Bill be engrossed,

Mr. *Hume* said, he had no objection to it, but he wished to take that opportunity to inquire whether any thing had yet been done as to the interference of the Church in Upper Canada? the people were not satisfied on that account.

Lord *Howick* said, the case was under consideration, and he hoped would be finally arranged before next Session.

HOUSE OF LORDS,

Tuesday, *August* 16, 1831.

Minutes.] Petitions presented. By the Marquis of Salisbury, from Owners and Occupiers of Land at Hitchin, in Hertfordshire, praying for the extension of the Elective Franchise to Occupiers of Land. By the Duke of Buccleugh, from Justices of the Peace and Commissioners of Supply of the county of Edinburgh, against Distillation from Molasses. By a Noble Lord, from Owners and Occupiers of Land in Norfolk, with the same prayer. By the Earl of Gosford, from Merchants and Ship Owners of Belfast in favour of the Belfast Harbour Bill.

Belgic Negotiations.] The Earl of *Orford* rose to put some questions to the noble Earl at the head of his Majesty's Administration, respecting the negotiations which had lately taken place relative to the settlement of the affairs of Holland and Belgium. From the events which had recently occurred, and the documents which had been published, and the great anxiety which had been excited in the public mind, it was highly expedient, that Ministers should give some explicit and distinct explanation on the subject. The questions which he particularly wished to put to the noble Earl, related, 1st, to the present occupation of the Belgic territory by the French; and 2dly, relative to the fortresses on the French and Belgic frontiers, some of which at least it appeared to be proposed to destroy. He wished to know for what purpose the French troops had entered Belgium, and upon what conditions, and how long they were to remain in that country? And in the next place, he wished to know, whether the noble Earl was prepared to lay on the Table, a list of such of the fortresses as it was intended to demolish. In adverting to these topics, he might refer to what had been stated before, that France had entered the Belgic territory, because the armistice between Holland and Belgium, which had been established under the sanction and guarantee of the five Powers, had been broken by the king of Holland. But, from events which had lately occurred, and documents which had lately been published, it would appear, that, according to the understanding of the king of Holland, no such armistice had been established or had ever been in existence. He might refer to documents which had recently been published, as a proof that the king of Holland did not recognise any armistice, except one which he himself was entitled to put an end to, without any reference to the five Powers. It appeared that the king of Holland had addressed a letter to the Conference, in which he stated, that he intended to support the negotiations with Belgium *par moyens militaires*. A letter, making use of the same expression, had been addressed to the Ambassadors at the Hague, and it was surprising that there should exist such a difference between the interpretation which the king of Holland put on this expression, and that which was put on it by the five Powers in their answer of the 5th of August. The noble Duke had, on a former occasion, interpreted this as meaning, that the king of Holland would interfere by military means. But the letter of the 2nd

August contained a corollary, which took away all pretence for the allegation, that the king of Holland had given no notice of his intention to attack Belgium; for, in that letter, Count Verstolk de Soleen spoke of it as a thing resolved on. He said, "Thence it must be evident, that the king's determination to throw his army into the scale simultaneously with the negotiations at London, for the purpose of obtaining fair terms of separation—an end too precisely marked, and too distinctly avowed, to be subject to the least doubt—ought not to inspire any disquietude." With these letters, and that interpretation before them, it was strange that the Ministers of the Powers engaged in the Conferences, should have written the answer of the 5th of August to the minister of the king of Holland, which answer contained these expressions:—"By the letter which your Excellency did us the honour to present to us on the 1st of August, you had the goodness to inform us, that it was the intention of the King, your august master, to support, by military measures, the negotiations which his plenipotentiaries are commissioned to open at London. We should have supposed, that these measures would be adopted only in the interior of the territory of Holland, if public report did not inform us, that they had been extended beyond its frontiers; that hostilities have been resumed against the Belgians by the King's orders; and that the armistice concluded at Antwerp has just been denounced." Now it certainly was strange, that the Ministers of the five Powers at the Conferences, should have put such an interpretation as this on the communications of the king of Holland. The real state of these transactions might be described in a few words. On the 12th of January, the Powers of the Conference agreed on a Protocol, by which it was provided, that peace should be established between Holland and Belgium on certain terms, and that, in the mean time, an armistice should be concluded between the contending parties, and that no king of Belgium should be recognised, unless he agreed to adopt the basis of the terms proposed by the Conference. But no distinct and explicit armistice followed upon this; on the contrary, hostilities had been threatened, and even force employed. This was curious—and it was no less curious, that no Protocol was communicated to the ministers of the king of Holland till the Eighteen Articles had been laid before him. A change had, however, taken place in the views of the Powers engaged in the Conferences, and the Eighteen Articles were different from the Protocol. Such was the state of affairs when Prince Leopold was chosen king of Belgium. Here he might have accepted the Eighteen Articles; but then, when he went to Belgium, he had to swear to preserve the integrity of the Belgic territory, including certain places on the Scheldt. He wished to ask the noble Earl, whether, when the French entered Belgium to assist King Leopold, it was done under the authority of the Protocol, or of the Eighteen Articles, or under the Constitution sworn to by Leopold when he went to Belgium—all of them differing from each other? The French had, it was true, declared, that their troops should be withdrawn on the return of the Dutch troops to Holland, but then the French minister had declared, in a speech in the Chambers, that it was not the intention to withdraw them on the return of the Dutch troops, but that they were to remain till some other French objects should be accomplished. The king of Holland, however, had always insisted on his right to take the matter into his own hands, and that right had never been distinctly denied. Then, with respect to the fortresses, it was important to look at the speeches of the French minister, M. Casimir Perier, delivered in the French Chamber; for these speeches were not like speeches delivered in that and the other House of Parliament. The speeches of the French ministers were usually written out, and in some measure might be considered as authentic documents. But the French minister, in the speech to which he alluded, had said, that Leopold was not to be recognised by France as king of Belgium, until the honour of France should be completely vindicated, and all vestiges of the humiliating terms imposed on France in 1815, by the erection of these fortresses, should be done away. This language evidently implied, that all the fortresses were to be demolished. Considering, that these fortresses were erected at the expense of Great Britain and Holland, and that they were intended particularly for the defence of Holland, it was clear that no alteration should be made in the state of these fortresses, unless Holland was made a consenting party. It might be said, that it would be desirable, as a matter of economy for Belgium, that some of these fortresses should be demolished; but the French minister said, that Leopold was not to be recognised until the whole of them were demolished; and it might be implied, that the French ministry meant to make the demolition of these fortresses a condition of the withdrawing of the French forces from Belgium. In fine, then, he asked the noble Earl, for what specific purpose the French troops had entered Belgium, and in what event, and on what conditions, they were to be withdrawn from the Belgic territory, and whether the whole of the frontier fortresses were to be demolished; and if not, whether the noble Earl would consent to lay on the Table, a list of such of the fortresses as were to be demolished?

Earl *Grey*, before he proceeded to reply to the question of the noble Earl, must again protest against the practice of raising premature debates on subjects which were not yet ripe for discussion, and which could not be discussed without great inconvenience and even danger; and against asking premature questions, to which no answer could at present be given. But he had also to complain of the unprecedented, and he might say the uncourteous, manner in which the noble Earl had, on the present occasion, brought this subject before the House. As a Minister of the Crown, he was bound to answer any question which it was proper to put to him; but it was usual, as a matter of courtesy, to give the Ministers previous notice when questions were to be put to them, and to state the nature of these questions; or, if it was intended to bring forward a motion, it was the usual course, as a matter of courtesy, to give notice of the motion, and to state the nature of it. This the noble Earl had thought proper entirely to neglect, and to put questions to him without any previous communication whatever; and, under the pretence of asking questions, he had entered into a statement of the proceedings and views of the Powers at the Conferences, which statement was completely erroneous. He did not mean, however, to follow the noble Earl through that statement, but would confine himself strictly to the questions which he had asked. In the first place, the noble Earl asked for what purpose the French troops had entered Belgium? To this the answer was, that the purpose, as had been distinctly stated in these documents, was, to support the king of the Belgians against the Dutch troops, which had entered Belgium in violation of the armistice. The noble Earl said, that no such armistice had been established; but he (Earl Grey) said, that it was established under the guarantee of the five Powers, any one of whom had a right to enforce its observance against either of the parties which should violate it. The noble Earl asked, whether the French troops would be withdrawn when the Dutch troops should retire within their own frontiers? That was obviously a question to which he could return no positive answer, nor could he pledge himself as to whether they would then return or not. But, if the noble Earl had asked what this country had a right to expect upon that head, and what had been stipulated by solemn engagement, then he might have answered, that this country had a right, on every ground, to expect, that the French troops would be withdrawn from Belgium, when the Dutch troops should have retired within their own frontiers. Now, as to the speeches to which the noble Earl had alluded, how could the noble Earl expect any explanation from Ministers here as to speeches, the matter of which rested on no official authority whatever? Put this case. Suppose a speech were published in a newspaper, said to have been spoken by a French minister, in a French Chamber, he would ask the noble Earl, on what ground a Minister could ask for explanations of a publication possessing no official authority or authenticity? Or, suppose such a speech to be published in a newspaper here, as that made by a Minister, upon what ground could a French minister ask for explanations with respect to such a publication? Nothing could more strongly show the impropriety of the explanation called for by the noble Earl, than the bare statement of these suppositions. The noble Earl had alluded to a supposed distinction between the authenticity of the speech of a French minister, when published in a newspaper, and the speeches made in either House of Parliament here. But as to the point of official authenticity or authority, he knew no distinction between them. Then, in the third place, the noble Earl asked, whether the whole of the fortresses were to be demolished, or whether he (Earl Grey) would lay on the Table a list of such of them as were to be destroyed? The only answer he could give to that was, that with respect to the fortresses, nothing had as yet been determined on. All that had been determined on was, that in consequence of the alteration of circumstances which had taken place, certain of these might be, and should be demolished, and that negotiations should be set on foot, in order to determine which of them should be demolished. As to any of the other matters touched upon in the noble Earl's speech, he would then say nothing, but should be well prepared to enter on the discussion, when the proper time and opportunity should arrive.

The Earl of *Orford* did not mean to speak of the speeches of the French ministers as authentic official documents, but he must maintain, that, from the practice of writing out the speeches delivered in the French Chambers, and handing them out for publication in this corrected state, a greater degree of authenticity did attach to them than to the speeches delivered in Parliament.

The Marquis of *Londonderry* was glad that the noble Earl had given new assurances and pledges that the French troops were to be withdrawn from Belgium the moment when the Dutch troops should have withdrawn within their own territory. The noble Earl had pledged himself, that the French troops should remain no longer in Belgium than until the Dutch troops should be withdrawn, and therefore he would not pass any judgment on the Ministers at present with reference to the entry of the French into Belgium. But considering the excited state of the public mind in regard to these transactions, and the series of extraordinary blunders which these Conferences had exhibited, he thought that the noble Earl behind him did right in calling their Lordships' attention, and the attention of the country, to the curious contradictions between the statements of the Ministers here, and the statements of the French Ministers, in their speeches in the Chambers. But the noble Earl had given assurances that the French troops would withdraw when the Dutch should have withdrawn; and there were those in that House who would take care that he should be responsible for those assurances. He would not at present say anything more on the question, but when the proper time arrived, he would take care that the subject should be fully discussed.

The Duke of *Wellington* was not surprised that some of their Lordships had thought proper to call the attention of their Lordships and the country to these transactions, for some of them were rather strange, and seemed fit subjects for explanation, as far as explanation could be given consistently with the public interests. But, at the same time, he must observe, that there was nothing in what Ministers might say in the Parliament here, nor in what the French Ministers might say in the Chamber of Deputies, that had anything like official authority or authenticity, as far as concerned foreign relations, or which could properly be made the subject of international explanations. Ministers were bound only by their signatures attached to official documents, and not by loose and vague statements, which, as to any official engagement, signified nothing. No reliance whatever in these cases was to be placed on anything but official documents, regularly signed; and although the noble Lords near him, and the public, might feel considerable anxiety as to the statements of the French Ministers, yet they ought not to have considered Ministers here as in the least responsible for anything that might appear in such statements or speeches.

Earl *Grey* said, the noble Duke had anticipated the observations which he (Earl Grey) had been about to make. He, as a Minister of the Crown, was to be judged by official documents, and not by any vague and unauthenticated statements and speeches. He was responsible, as a Minister and a man of honour, for what he stated in that House; and under that responsibility he had stated what this country had a right to expect according to the engagements entered into with other Powers, and he was no further pledged, as to the introduction of the French troops into Belgium, or as to the purpose for which they entered, or as to when or upon what conditions they should be withdrawn. As to the observations of the noble Marquis, he should only say, that if the noble Marquis wished to excite animosities between nations, and to interrupt the general peace, he could adopt no better course than that which he was pursuing.

The Marquis of *Londonderry* denied that he had any desire to interrupt the general peace. He spoke of the conduct of the noble Earl from his signature to a Protocol, the terms of which had been contradicted by a speech of the French Minister. He repeated, that there were contradictions between them; and notwithstanding the cheers and yells which attended the noble Earl's speeches, he would say, that the time consumed in calling for explanations had not been misspent. He insisted that he had a right to ask questions of the noble Earl; and if he refused to answer them, he had a right to make a motion, and would make a motion, in order to procure the proper information. He hoped that the questions asked on his side of the House demanded respect.

HOUSE OF COMMONS,

Tuesday, August 16, 1831.

MINUTES.] New Writ ordered, for Armagh, in the room of Lord INGESTRIE, who had accepted the Chiltern Hundreds.

Bills. Read a first time; Church Building Acts Amendment. Read a third time; Receivers of Taxes.

Returns ordered. On the Motion of Mr. CROKER, for returns of the population under the Census Act of 1821:—On the Motion of Mr. J. L. KNIGHT, for a Copy of the Letters Patent under which the Governor of the Isle of Wight holds his office:—On the Motion of Sir R. INGLIS, for an account of all Expenses paid for the Committees of the House of Commons since the year 1800; for an account of all expenses relative to the Bills for Disfranchising Aylesbury, Helleston, Barnstaple, Penryn, and Grampound; and for an account of the Expenses in building, repairing, and furnishing, the several Prisons in England and Wales, since the year 1800:—On the Motion of Mr. HUME, for a Return of Money paid out of the Consolidated Fund, for the encouragement of Public Works in Ireland, from the date of the last return up to the present time:—On the Motion of Mr. BALDWIN, for a Return of all the 40*s*. freeholders of the County and City of Dublin, with all the particulars relating to their property, and date of the instruments granting them the privilege of voting.

Petitions presented. By Mr. HUNT, from the Inhabitants of Bath, for a reduction of Taxation. By Mr. SHEIL from the Catholic Inhabitants of Newtownsmith, for the reduction of Stamp-duties on the admission of Galway Freemen to the Elective Franchise; and from the Catholic Inhabitants of Ahabologue, Duleek, Kilgarf, and other places, against any further Grants to the Kildare Street Society. By Mr. EWART, from the Chairman of Merchants at Liverpool, against the Sugar Refining Act. By Mr. TALBOT, from Inhabitant Householders of Swansea, in favour of a Clause in the Reform Bill, to have a separate Member for towns in Glamorganshire. By Mr. BALFOUR, from the Noblemen and Justices of the Peace of the county of Haddington, against the use of Molasses in Distilleries. By Mr. O'CONNELL, from the Catholic Inhabitants of the united parishes of Tramore and Carbally, Caher, Clogher, Newry, and Clonmel, against any further Grant to the Kildare Street Society; from the Inhabitants of Carrick-on-Suir, to disband the Yeomanry of Ireland. By Sir CHARLES WETHERELL, from Freemen of Sandwich, resident at Margate, to continue their privileges to vote for Sandwich; from the Inhabitants of Bristol, against the continuance of the Grant to Maynooth College. By Mr. LABOUCHERE, from Mr. Shillibeer, praying for a reduction of duty on Omnibuses.

DISTRESS IN THE METROPOLIS.] Mr. *Hunt* presented a numerously-signed Petition from the Carpenters and Joiners of this city, stating, that 12,000 of them were out of work at this period of the year, when they were generally fully employed. These Petitioners attributed this slackness of occupation to the frequent application of machinery, and the substitution of cast-iron for timber in recent buildings. They did not assume, that this practice was not a great improvement in the construction of modern edifices, but they suggested that they might be relieved by the erection of some large public building, out of the funds of the State, if Parliament should sanction the project. They further expressed their firm conviction, that the working classes would never feel their condition improved until a Reform in Parliament took place, and each man in the State enjoyed the right of being represented in that House.

Sir *Charles Burrell* believed, that a great proportion of the distress experienced by these persons arose from their own perverseness in attempting to control their masters in the choice of hands; and in raising the price of their labour. At this moment no carpenter would work in the country under 30*s*. per week. He was sure the House would agree with him, that those persons deserved no commiseration if, through the controlling influence of unions amongst themselves, and clubs which exercised a tyrannical and injurious effect on all the trade, more particularly by preventing the employment of men not banded in these illegal associations, they caused their own distress.

Mr. *Hunt* said, he had been assured by the petitioners they had not entered into these clubs, to the principle of which they professed themselves inimical, and had determined to petition in opposition to them.

Sir *Charles Burrell* only spoke from his own knowledge, which certainly did not extend to the individual petitioners.

Petition laid on the Table.

BOARD OF TRADE (IRELAND).] Lord *Milton* presented a Petition from the Lord Mayor, Aldermen, Common Council, and Citizens of Dublin, praying for the establishment there of a Board of Trade, which might communicate with Government on the subject of Irish wants and interests, and assist the Irish Government in developing the resources of that country. The

Petitioners represented, that distress was generally prevalent throughout Ireland, and that the flax and linen trades in particular, were going to decay. They expressed themselves of opinion, that it was no absence of kind feeling, but because the interests of that country were not well understood, that Parliament adopted measures detrimental to Ireland, and they therefore wished to have some intermediate body established there, whose business would be, to endeavour to promote measures favourable to their interests. He agreed with the petitioners in this opinion, for it was quite obvious, that the people of Ireland suffered great disadvantages by their distance from the seat of legislation. The expenses of private Acts in England were great, but in Ireland the cost was much enhanced. Although he feared the petitioners were too sanguine in their expectation of advantages from the establishment of a local and unpaid Board of Trade in Dublin, yet he hoped such a body might be found useful.

Mr. *James Grattan* thought, from the difficulty they experienced in understanding Irish questions, the establishment of a Board of unpaid Commissioners, sitting in Dublin, upon these subjects, and communicating with intelligent persons, by letter or by personal examination, would enable Government to recommend, with much greater propriety, measures to Parliament, adapted to the exigencies of trade and commerce. The silk-trade of Dublin was in a most wretched state, as well as all other productive occupations. Such a Board, to be composed of every description of persons, might furnish most useful information on the subject of Poor-laws. It would have every facility for the examination of witnesses who caused so much trouble and expense when brought to this country. The cost of such an establishment would be but little, chiefly for a Secretary, and he believed an institution of this nature would go far to put a stop to the cry for the Repeal of the Union.

Colonel *Conolly* said, that as the city of Dublin had at present no Representative, he felt it his duty to support the prayer of the petition. The affairs of Ireland, which called for legislation, came before the House in a most crude and undigested shape, and if sound and accurate information was essential to good Government, that could only be procured by residents on the spot, acquainted with the peculiar circumstances of the country. One great cause of the embarrassment experienced in legislating for Ireland, was the frequent changes in the Government—since 1817 there had been seven Lord Lieutenants. He well knew, that it was the interest and desire of English Members to assist the sister country, and they were only prevented from doing so by their ignorance of her situation. The materials for better legislation would be found in great profusion in Dublin, and he was convinced that the establishment of such a Board, consisting of about twenty gentlemen, would much assist the endeavours of the Secretary for Ireland, and direct to proper objects the attention of the Legislature. It would also tend to obviate the frequency of well-founded complaints in various classes of society in Ireland, whose interests were inadvertently neglected by the United Parliament.

Mr. *Wyse* was not prepared to say, that the establishment of such a Board would reach all the objects alluded to by the petitioners, but he thought some attention should be paid to the subject at a moment when there was such a cry for domestic legislation, in order to meet that wish in some way, if it were only to check the violence of the outcry. The Bill under discussion last night, developed the objects and machinery of a Board which it was proposed to establish, but it did not go far enough. He desired to see some measure established that would embrace all the local departments. The most plausible reason that had been urged for the dissolution of the Union was the difficulty of getting that House to pay attention to Irish questions, from want of time and knowledge to understand them. It was wise to allow self-government, wherever practicable, and he thought local establishments essential for understanding minute subjects, on which the prosperity of a country often depended, as was proved by the provincial establishments of the Netherlands, to which he attributed much of the prosperity of that country. The Board he should desire to see established in Dublin would embrace three objects—the first, the care of public works, trade and agriculture; the second, charities, prisons and police; and the third, public education, and to have branches in the respective counties, to supersede the oligarchical influence of the Grand Jurors, who administered the provincial government in an arbitrary and extravagant manner. When the Catholic Relief Bill was passed, an alteration in this respect became necessary. He would leave the Grand Jury their judicial functions, and give their financial powers to a local Board, in connexion with one in the capital. He was fully persuaded, opinions of this character began to be general throughout Ireland, and the people wished to regulate their own concerns.

Mr. *O'Connell* believed the condition of Ireland was such, that hardly any change could take place there which would not be for its advantage. This fresh application was symptomatic of the general appetite in Ireland at last for local legislation. Indeed, unless there was something of a local legislature adopted for Ireland, it was now clear, after thirty years experience of the Union, that nothing short of some such project as that now recommended by the Corporation of Dublin, under the advice of a very able and competent gentleman (Mr. Cecil), who had devoted his zeal and talent to this subject for some years, could possibly save Ireland from some fearful and desolating convulsion. They had no other resources but the horrors of famine or the establishment of Poor-laws. It had been said, they would be Agrarian laws, and would have no other effect than to divide the property of the rich among the poor, and ultimately reduce all to the same level. Boards might be of some use as a temporary remedy, but the only permanent cure for the evils of Ireland was a local legislature.

Colonel *Torrens* said, it was impossible, whilst the connexion between this country and Ireland was unrestricted, that manufactures should flourish in Ireland. We had decisive proof in this country, that manufactures could not be forced from places possessed of local advantages, to others which wanted them. The woollen trade had wholly declined in the west, while it had prospered amazingly in the north of England, from the superior local advantages of the latter in coal and iron, together with other facilities for carrying on the trade. If such difficulties were found, therefore, in transferring manufactures even from one county to another, how would it be possible to transfer them to a country destitute of all natural advantages for carrying them on? The prayer of the petition, which alluded to the establishment of manufactures in Ireland, took an erroneous view of the question, and to say, that local legislation could overcome such obstacles was absurd. He was no less convinced that separate legislatures would unavoidably occasion, in a very short period, the total separation of the kingdoms. The moment a disputed question, such as a regency, or a doubtful succession arose, there would be an end of the connexion, for the only political union between them would be the executive. If they were to have an independent legislature for Ireland, they must also have one for Scotland, and a third for Wales, and the whole must be united into one federative union. That would be the only rational mode of establishing independent legislatures. In any other way it would be hopeless to attempt to keep up the connexion between the countries now so happily united.

Mr. *Crampton* believed the Union with Ireland had neither created nor even aggravated the evils unhappily felt so sensibly in that country. On the contrary, he was prepared to contend, and he hoped at the proper time to be able to prove, that the Union had considerably benefitted Ireland, and he felt perfectly convinced that it could not be dissolved without involving the ruin of both countries. The evils of Ireland had their origin in different and deeper sources.

Petition to lie on the Table. On the motion that it be printed,

Lord *Milton* hoped that Ireland would not indulge in visions of manufacturing wealth and prosperity. He agreed with the hon. and gallant Officer, that she had not the means necessary to secure that description of prosperity, though she certainly possessed ample means of securing another description—namely, agricultural prosperity. To that legitimate object of national interest and ambition her views ought to be confined. She ought to limit her desire for manufactures to the employment of her people at Manchester and Glasgow. Within her own territories she had not the means of carrying on extensive manufactures; she had neither iron nor coal, and imported machinery could not be useful without cheap fuel. Local industry might be promoted, undoubtedly, by private exertions, without the necessity of Boards. On every view the improvement of her agriculture should be her great object, and the chances of success in this way were only to be found and secured in the private exertions of the great landowners, nobility, gentry, and farmers of that eminently fertile island.

Colonel *Trench* agreed with the noble Lord, that Ireland must be essentially an agricultural country, and was not well calculated for a manufacturing country. He believed there was a difficulty interposed to her success in manufactures, because of her want of capital and skill, The proposed alteration in the Corn-laws, for which the noble Lord was an advocate, he altogether deprecated, as likely to materially prejudice Irish agricultural interests.

Mr. *O'Connell* denied there was such a want of either skill or capital as must frustrate all efforts to succeed in manufactures. He allowed they had neither coals nor iron, and could not compete with England in these respects, but they might avail themselves to a great extent of the power of machinery, for it must be recollected, that Ireland had, at least, the greatest water-power applicable to manufactures of any country in the whole world. To what other cause than the Union could the decay of Ireland be attributed? He should like to hear from the hon. and learned Gentleman who had asserted, that Ireland had been benefitted by it, in what manner that had been effected. They were now about to be driven to the adoption of Poor-laws, to support a starving population, and all persons who had realized property left that unhappy country; were those the proofs of the benefits she had received? When the circumstances of other countries were recollected, there was little reason to doubt that Ireland might continue a constituent portion of this great empire with a separate legislature. It was well known that Austria had for ages retained Brabant, as well as Hungary and Bohemia, constituent parts of that empire, notwithstanding they each possessed separate legislatures. The hon. and gallant Officer had asserted, that in the event of the Union being dissolved, a regency or a disputed succession would put an end to the political connexion between the two countries. A disputed succession had divided England itself into contending parties; it was a case against which no legislative authority could guard. A disputed regency might be obviated by an Act declaring that the person who should be declared Regent of England, should, *de facto*, be Regent of Ireland. He therefore denied the positions of the hon. and gallant Officer, and fully expected that petitions would yet come from the Corporation of Dublin for a local Legislature instead of local Boards.

Lord *Ebrington* said, he had some acquaintance with Ireland, where much distress undoubtedly prevailed, particularly in the south and west, but he hoped it was not increasing, and he was sure the cause of it could not be traced to the Union.

Sir *George Rose* wished the hon. and learned member for Kerry to recollect, that the Union with Scotland prevented a much more severe contest than actually took place upon the occasion of a disputed succession.

Lord *Milton* said, that the repeal of the Corn-laws might have the effect of reducing the price of corn, and lowering rents in Ireland, but that result, though it might be felt as a grievance by the Irish landlords, he believed would be found to be beneficial to the Irish population at large.

Petition to be printed.

TITHES (IRELAND).] Mr. *O'Connell* begged to present a petition with which he had been intrusted by the noble Lord, who was one of the members for Kilkenny, who was prevented from presenting it by a domestic calamity. The petitioners complained of the tithe system in Ireland, and stated, that they paid more for tithes than they did for the land as rent, and that the clergy distrained continually for tithes, and sold not only their cattle and pigs, but also the very blankets from their beds. The Rector had generally a police force ready to support his demands, and in case of being aggrieved, the petitioners could only obtain redress by applying to the Ecclesiastical Courts, the expense and delay of which were so intolerable as to be a denial of justice, and forced them to submit to the exactions of the tithe-collector, however exorbitant. The petitioners went on to state, that unless some remedy was afforded to relieve them from the oppression they now suffered from the operation of the tithe-laws, they should be compelled to abandon their country, and take refuge in other lands. He understood from the noble Lord who had intrusted him with the petition, that the petitioners were respectable persons.

He would remark, that the allegation that tithe surpassed the rent of land, was a circumstance well worthy of the consideration of the House.

On the Motion that this Petition be brought up,

Mr. *Crampton* took the opportunity of explaining, that all the assertions made in that House some time since, respecting the trial concerning tithes in Kilkenny, were unfounded. The House would recollect, that the case was a prosecution against certain persons for conspiring to compel a Protestant clergyman to lower his tithes; and it had been asserted by an hon. and learned Member, that the Crown Solicitor had publicly declared, that he had been instructed to exclude Catholics from the Jury, and that they had been, along with several liberal Protestants, excluded accordingly, and that the verdict was obtained by these means. This statement conveyed such a serious charge, that, at the instant, he had pronounced it wholly unfounded. He had since thought it his duty to inquire into all the circumstances of the trial; and, he was happy to say, his assertion had been completely borne out, that no such statement had been ever made, much less acted upon. The Crown Solicitor positively denied that he ever had, as was stated, declared, either in Court, or elsewhere, that he was directed by Government to exclude Catholics and liberal Protestants from the Jury. He could also state, that the fact was, one Catholic and several liberal Protestants were on the Jury, and that nobody was challenged on account of his political opinions, and also, that the traversers were allowed to put aside several persons, and do all that they pleased, without assigning any reason whatsoever. He would now take the liberty of reading a letter which he had received from Mr. Kemmis, the Crown Solicitor, who was a most respectable gentleman, in corroboration of his assertions. That letter was as follows:—

"*Kildare-street, 13th August*, 1831.

"Dear Sir;—In reference to my note of yesterday evening, relative to the trial of Blanchfield and Byrne, at the last assizes of Kilkenny, I beg you will state to the Solicitor General, that I never received instructions from any person whatever to challenge Catholics; nor did I ever declare at Kilkenny, or anywhere else, that I had received such instructions. On inquiry, I find that one of the Jury, but not the Foreman, as I mentioned in my note, was a Catholic, and several of them liberal Protestants. Several were put by on the part of the Crown, for reasons I thought sufficient, but not because they were Catholics; and, although the traversers had not any right to challenge, they were allowed to do so, and, at their instance, several of the Jury were put by—the Crown allowing them to be set aside without calling upon them to assign any reason for so doing. It has always been my wish, and that of the counsel for the Crown, that the Juries in criminal cases should be composed of the most respectable persons, whether Catholic or Protestant. Except in very few instances, I do not know the religion of the gentlemen composing the Juries.

"I am, dear Sir, your's truly,
"W. Kemmis."

He had also the authority of two gentlemen of the Bar, who were present, to state, that the Jury was not packed, and that the trial was in all respects conducted with perfect fairness towards the traversers. His learned friend, the Attorney General, did likewise most positively deny having ever given any such directions as were attributed to him, or any directions which would encourage the packing of a Jury. Indeed, when Mr. Costello, the solicitor for the defence, objected to any Juror, without stating any reason for such objection, he was instantly put aside by the Crown. So that this Jury, so much vilified, was one which the traverser's solicitor himself approved. This system of preferring charges against individuals and public officers, in their absence, without notice, and upon hearsay evidence, was most objectionable; for often the charges were heard by persons who had no opportunity of hearing their refutation; and thus permanent injury was inflicted on the characters of innocent and meritorious persons. The same remark applied to the Maghera trials, which had also been referred to by the hon. and learned Gentleman. He could positively assert, that the utmost fairness presided there over the formation of the Juries. It was true that the Protestants were acquitted, and the Catholics convicted. He was disposed to believe the acquitted parties were the most guilty of the two; but the one were found guilty on satisfactory evidence, and the others were acquitted for want of it. It was, therefore, impossible for any man justly to found charges, or to arraign Juries, upon the circumstances of these trials. In future, he hoped any hon. Members who were about to bring charges, would, at least, give notice of their intentions, that inquiries might forthwith be made, and the answer promulgated at the same time as the accusation.

Petition read.

Mr. *O'Connell* moved, that it be laid on the Table, and would take the opportunity of making some observations with regard to the case of Maghera, which had been alluded to by the hon. and learned Gentleman; the simple facts of which were, that the Catholics were tried for an assault, and immediately convicted. On the following day, eight Protestant Yeomen were tried for having committed the most atrocious outrages in the village, and acquitted. The Catholics were sentenced to several months' imprisonment. He had not charged the Jury with having returned an improper verdict, but he impugned the punishment as exorbitant, while no measures had been taken to punish the persons who had been guilty of such enormous and wanton cruelty, as well as the Magistrate who had headed them. In no other country than Ireland could such acts have been committed with impunity, and he would continue to remark upon such conduct until justice was done on the perpetrators. With regard to the Kilkenny case—the statement was made, not by him alone, but also by the noble Lord, the member for Kilkenny, whom a domestic calamity unfortunately prevented from being present; and these statements, then made by the noble Lord as well as himself, were only contradicted by the letter read by the hon. and learned Solicitor General for Ireland. He regretted, that the hon. and learned Gentleman should have proceeded in the absence of the noble Lord, and thought that, as a matter of justice, Government should have the case thoroughly investigated. His authority for the statements he had made was the information which he had received from persons totally unconnected with each other.

Mr. *Crampton* said, he had never accused the hon. and learned Member of making statements without authority; he had only said, that the hon. and learned Member was in the habit of making strong assertions, and preferring serious charges against individuals, upon private letters from heated partisans, which were proved generally to be without foundation. But the charges obtained currency, because they could not be contradicted when they were made. He hoped that the discussion on this case would induce hon. Gentlemen not to lend themselves in future to such practices.

Mr. *Sheil* said, the hon. and learned Solicitor General had used much unnecessary warmth of expression. The charge was, that the Jury were composed wholly of Protestants, and that Catholics were expressly excluded. The answer received to this was, there was one Catholic upon the Jury—one out of twelve—and yet the hon. and learned Gentleman considered this a triumphant answer. It was not their object to complain of one particular case, but of the working of the whole system generally. He, therefore, hoped, that the Government would take measures to prevent the recurrence of these complaints. In doing so they would be pursuing a better course than that of finding excuses for them.

Petition laid on the Table. On the Motion that it be printed,

Sir *Robert Inglis* said, that he objected to the House giving currency to petitions which contained matter of a libellous nature. This petition stated, that certain individuals broke open doors, and ill-treated persons whom it named. Now he thought that that House ought not to be an ulterior court for the redress of evils, that, if capable of being substantiated, might be made the subject of inquiry in a court of law. The hon. and learned Member stated, that the petitioners declared they paid more in tithes than in rent. He had referred to the returns consequently, and he found it there stated, that the income of a clergyman, who, he said, had been alluded to, was not near so great as it was imagined. The aggregate amount of the tithes was about 440*l*., and the glebe about thirty-one acres. The clergyman besides, it should be recollected, had been a resident in his parish since 1806. He, therefore, trusted the House would not sanction the publication of such statements.

Mr. *O'Connell* said, he was unacquainted with the facts himself. The petition had been sent him by the noble member for Kilkenny, who had, at the same time, assured him they were correct.

Mr. *Lefroy* said, that every unprejudiced man in the House must be satisfied, that the hon. and learned Solicitor General had, by a calm and plain statement of facts, utterly upset the charges which had been made upon former occasions; and he had no doubt, if he was to take the trouble of inquiring into the merits of the petition now before them, he would find the allegations contained in it equally unfounded. He recommended the hon. and learned member for Louth to be more cautious how he found fault with the Irish Jury system; such observations did great mischief to the proper administration of justice.

Petition to be printed.

GREAT GRIMSBY ELECTION.] Sir *George Clerk* said, he wished to call the attention of the House to a subject of much importance, as connected with the privileges of Parliament. The subject he alluded to was, the delay in the return of two Members for the borough of Great Grimsby. It would be in the recollection of the House, that the former election had been declared void by a Committee, and that the Speaker had been called upon, on the third day of this month, to issue his warrant for a new election. The warrant had been issued, and it would seem, that it had been forwarded in the regular manner, and without any delay, to the proper officer; for the election had been held and was completed on Wednesday last, but, although two gentlemen were then elected, no return had been made. Although these two gentlemen who had been elected came, after the election was over, to town, and although they were ready to take their oaths and their seats upon Friday or Saturday last, and yesterday and to-day, they were unable to do so, because, upon inquiry at the Crown-office, it appeared that no return of the election had been made by the Sheriff. There was, he thought, no question on which that House could more properly entertain a strong feeling of jealousy, than that of seeing the numbers of the House kept incomplete. He knew that, although the law relating to the transmission of the lists of voters was considered perfect, that which related to the return was supposed to be in an imperfect state, and by that means, a returning-officer might, as he feared it would be found in this case, commit a gross breach of the privileges of the House. The case which this most resembled was that of Waterford, in 1806, when the right hon. Baronet, Sir John Newport, was elected, after his appointment as Chancellor of the Exchequer in Ireland. On that occasion, no return appearing to have been made in due time, the course adopted was, to call on the Deputy Clerk of the Crown to appear at the bar, and state whether the return had been received in his office. On the present occasion, he proposed, that the House should pursue the same course, and he should therefore move, "that the Deputy Clerk of the Crown should immediately attend the House, to give information to the House relating to the said Writ, and whether a return of the election of two Members for Great Grimsby had been received by him."

Lord *Althorp* fully agreed with the hon. Baronet, that it was not only a duty, but one of the first duties of that House, to keep their numbers full; but it was, if possible, a still more imperative duty on them to see that their numbers were not prevented from being full by any trick whatever. He thought that the House ought to accede to the Motion, in order at once to know the reason why the return had not been made.

Motion carried.

The Serjeant-at-Arms on being called to the bar, said, that the Deputy Clerk of the Crown was in attendance.

The Speaker directed that he should be called in, and then asked him, whether he could give the House any information as to the election of two Members for Great Grimsby?

The Deputy Clerk of the Crown answered, that, under the authority of the Speaker's warrant, he had issued the writ on the 3rd day of August, but that, as yet, he had received no return.

He was ordered to withdraw.

Sir *George Clerk* said, that he had, on the former occasion, avoided imputing any improper motives to the High Sheriff of Lincolnshire, or to the Returning-officer of the borough of Great Grimsby, because he wished rather to attribute the omission to make the return to some accidental circumstance, than to any wilful negligence. At the same time, the House must feel, that they were in that state, in which this matter must now be followed up, and that the High Sheriff must give some account to the House of the origin of this delay. He should therefore move, "that the High Sheriff of Lincolnshire do attend this House on Friday next." The case of the borough of Lostwithiel was subsequent to that of Waterford, which he had already cited; and in the Lostwithiel case, both the High and Under Sheriff were ordered to attend. It might be proper for the House to consider whether they would act in the same manner in the present instance, and direct the Mayor of the borough of Great Grimsby to attend at the same time.

Lord *Althorp* believed, that the omission of the return was accidental; but, as he had before said, the matter ought to be inquired into. He should, therefore, support the Motion of the hon. Baronet.

Sir *Thomas Fremantle* said, he begged to call the attention of the House to a case in which the course now recommended was pursued with regard to Westminster, when the Sheriff of Middlesex and the High Bailiff of Westminster were both ordered to attend at the bar of the House. He therefore wished the Returning-officer of Great Grimsby should be also ordered to attend.

Motion agreed to. The Returning-officer of Great Grimsby ordered to attend at the same time.

RIOT AT AYR.] Mr. *Kennedy* rose to ask a question of the hon. and learned, the Lord Advocate of Scotland. The subject upon which he required information had created a very great sensation in that part of the country with which he was more immediately connected. On the 12th of July last, a riot had occurred at Ayr, in which lives were lost. He wished to know whether, in the case of any of the persons charged with having taken part in that affray, bail had been offered and accepted? He trusted, that the whole of this subject would undergo strict and mature consideration.

The *Lord Advocate* did not very well know, whether he ought or ought not to give any answer to the question of his hon. friend. He would not, however, give any answer that was likely to compromise him, individually, in the discharge of his functions, or to prejudice the cause of those who might hereafter be placed on their trial. He could only say, that in the way of general rumour, he had heard of the event to which his hon. friend had alluded; but he had not received any precise or accurate information with respect to that event, or to any proceedings which might have occurred subsequently to it.

Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee of the whole House, on the Reform of Parliament (England) Bill.

PORTUGAL.] Lord *Valletort* said, that while he admitted the great importance of the subject to which the noble Lord had just called the attention of the House, still he felt himself fully justified in introducing for a moment another topic of much interest, and of calling for explanation with reference to it. He believed, that Ministers were placed, with respect to our foreign relations, in very difficult circumstances; and he also believed, that they were very anxious to preserve peace. But peace might be too dearly purchased, and, assuredly, it would be too dearly purchased, if to preserve it, our honour was compromised. In his opinion, the conduct which had been adopted in the case which he was about to notice did compromise the honour of this country, and was likely most seriously to affect its interests. The transaction to which he alluded was this—the French government, since the attack of their forces upon Lisbon, had taken possession of, and carried away, the whole of the Portuguese fleet, except, he believed, two schooners. Extraordinary as the fact might be, he had learnt it on information which he could not doubt, and he hoped that a satisfactory reason would be given by his Majesty's Ministers for allowing this act of spoliation to be perpetrated. If they could not prevent it, he would say for himself, unskilled as he was in the arts of diplomacy, and merely forming his opinion from the feelings which he entertained, and which he believed he entertained in common with most of his fellow-countrymen—he would only say, if Ministers could not give a most satisfactory explanation, that the fleet of Admiral Codrington might have been much better employed than lying in the Downs, prepared, at a moment's notice, to assist in crushing a weak but ancient ally, who was merely striving to gain that which he thought was his just due. The only reason, he believed, that could be assigned for the conduct of Ministers was, that they fitted out this force because the proceedings of the king of Holland were hostile to the revolutionists of Belgium—perhaps, he might say, to the revolutionists of France. On this subject, he requested information from the noble Lord.

Viscount *Palmerston* would be obliged to the noble Lord, if he would put his question plainly and distinctly. At present he knew not what he was called on to answer.

Lord *Valletort* said, he had it from information which he could not doubt, that the French had taken possession of, and would keep, all the Portuguese fleet which they found in the Tagus at the time of the attack on Lisbon. He wished Ministers to explain to the country, why they had permitted the French to do this, without taking any measures to prevent them?

Viscount *Palmerston* said, he believed, with reference to the facts, that the noble Lord was correct. All the Portuguese ships of war struck to the French, in consequence of the engagement which took place when the French fleet entered the Tagus. That portion of the fleet which took part in the action, was considered prize of war, and was retained as such. One line-of-battle ship, which was dismantled, and took no part in the action, was given up. He had no further information to give on the subject.

Mr. *Courtenay* wished to ask the noble Lord, if a war of aggression were waged against one of our allies, whether this country was not bound to interfere?

Viscount *Palmerston* did not feel himself called upon to answer that question. If any hon. Member thought that his Majesty's Ministers, in their proceedings with foreign Powers, had not consulted the honour and character of the country—if any hon. Member believed that they had not performed their duties honestly and fairly—let him bring forward a distinct motion on the subject, and Ministers would be ready to meet it.

Mr. *Courtenay* said, he would take an opportunity of stating what his opinion on the subject was, and would submit a motion on the subject in a few days.

ALTERATIONS IN THE REFORM (ENGLAND) BILL.] The Order of the Day for the House going into Committee was read. On the Motion that the Speaker leave the Chair,

Mr. *Paget* called the attention of the noble Lord opposite to the manner in which the Bill was now printed. Some clauses were inserted which ought not to have been there He referred more particularly to the 18th Clause.

Lord *Althorp* understood it was the general wish that the whole Bill should be reprinted, with the proposed alterations; the only material clauses to be altered were the 18th and 21st.

Mr. *Paget* said, he particularly remarked the 24th and 25th, and that the latter clause in the Bill, as well as the 18th, gave the Commissioners a discretion as to the incorporation of parts of parishes, which would, in some cases, operate very disadvantageously. There was the borough of Leicester for instance, in which parts only of certain parishes were within the present limits of the borough, but the whole of these parishes had long been comprised within the town. The borough contained only 16,000 souls, while the town contained 40,000. There were six parishes, a part only of each was in the borough. Now he wished to know from the noble Lord, whether it was the intention of Government to confine the precincts of the new borough to the limits within which the borough now existed, or whether they intended to include other parts of the town?

Lord *Althorp* had answered several times, that where a part of the parish came into the centre of the town, the whole of the parish was to be taken into its limits.

Mr. *Warburton* feared, that the 24th clause would not give the Commissioners the power to carry the noble Lord's intentions into effect.

MANUMISSION OF SLAVES.] Mr. *Briscoe* wished to put a question to the noble Lord respecting the Manumission of Slaves. A short time since, he had asked the noble Lord whether orders had not been sent out to emancipate the Slaves in the Colonies belonging to the Crown, when the noble Lord, to his surprise, answered him in the negative. By merely changing the form of his question, he believed he should obtain an answer in the affirmative; and he trusted he should, for such an answer would be hailed with delight throughout the empire. He now wished to ask the noble Lord, whether orders had not been sent out to the Crown colonies to emancipate those slaves that belonged to, and were part of the property of the Crown.

Lord *Althorp* said, that the hon. Member had, sometime ago, asked, whether orders had been sent out to emancipate all the slaves in the Crown colonies. He was surprised, that such a question should have been put, and he answered, that he never heard of any such order, because it was impossible such directions could have been given. Now, however, that the question was put in a different form, he could at once state, that directions had been given for the emancipation of all slaves who were the property of the Crown.

The Marquis of *Chandos* wished to ask the noble Lord, if his Majesty's Government meant to submit any motion to Parliament on the subject of Slavery in the Colonies?

Lord *Althorp:* Not at present.

The Motion was then put, that the Speaker leave the Chair.

POLAND.] Colonel *Evans* said, that he had at all times experienced the indulgence of the House when he felt it necessary to deliver his sentiments, and he trusted that the same kindness would be extended to him now, when he was about to bring under its consideration, a Motion relative to neutral Powers, in so far as their conduct affected Poland. Since the Session of 1830, war had been raging in Poland, but not one word had been said on the subject in Parliament from that time to the present. He knew perfectly well, that there were many individuals in that House who were capable of introducing this question in a much more able manner than he could: but as no person had stood forward to bring it under the consideration of Parliament, he felt himself, weak as his abilities might be, justified in taking it up. He was the more especially induced to do so, because this was not a party question, but one on which he believed all persons in that House very nearly coincided in opinion. Every one must see the great importance of this question, which concerned the neutrality of those States that were on the borders of Poland. It appeared to him, from the information which he had received, that the passports granted in this country to individuals wishing to proceed to Poland, had not been treated by Prussia with that respect which they ought to command. Merchandize sent out from England had been stopped by the Prussians *in transitu*. He collected from a public paper an answer of a most extraordinary nature, which had been given by Prussia to a strong representation made to that government on the subject of its conduct towards Poland. The authorities said, that Prussia was not in a state of neutrality with Poland, but merely in a state of inactivity, and they wished that their good Ally, the Emperor of Russia might triumph over the Poles. They declared, that the principles on which the Polish Revolution was founded, were exceedingly dangerous; and they expressed their fears, that unless the Emperor of Russia, triumphed in this cause, Prussia would lose Posen, and her other Polish provinces. What he was about to state, would not, he believed, afford much information to many Gentlemen in that House; but he had reason to suppose, that the right of Poland to claim at least neutrality from the neighbouring Powers was not generally understood on the Continent of Europe. The rights of the Poles were not only rights to neutrality but rights of the most sacred and special character. Without going into the nature of those original rights which might be made out in favour of Poland, he would proceed at once to those immediate rights which were secured to the Poles by Treaties entered into at the Congress of Vienna in 1815. In 1815, the Minister of England mentioned at that Congress the necessity and propriety of reconstructing the Polish kingdom—that kingdom which had been dismembered, first in 1772, and subsequently in 1795. The grounds on which this doctrine was initiated, and enforced, by the English Minister, were—first, claims and considerations of justice on the part of the Poles, and, secondly, the necessity of interposing a barrier between Russia and the Western States of Europe. It was greatly to the honour and credit of the Minister of England, that he strenuously and perseveringly urged this doctrine at the Congress of Vienna, demanding, on behalf of England, that Poland should be re-established, with all that had belonged to her, under a distinct dynasty of her own, as indispensably necessary for the safety of Europe, in erecting a barrier against Russia, and in maintaining the balance of power, and the principles of public law. And let him observe, that the "balance of power," or the "political equilibrium," of Europe, did not mean any equality of power or of territory—did not mean a balance of the numerical strength and resources of the different States, but an equality of rights and station in the political society of Europe. The object of the doctrine of the balance of power was, to secure the weaker against the more powerful States, in the peaceable enjoyment of all that the weaker States held by a just title; it was purely a defensive, a preservative system; it did not affect to put an end to all wars, but was directed against the usurpation of conquerors and the encroaching ambition of powerful States; holding it as a principle, that no one State should obtain a preponderance which might be dangerous to the liberties of others, and bid defiance to the united efforts of others. This doctrine, as he had already observed, partially influenced Lord Castlereagh in the arrangements which he advocated in favour of Poland at the Congress of Vienna. The views of Lord Castlereagh with respect to Poland were supported in the Congress by Austria and by Prussia. The Emperor of Austria even declared, that far from consenting to the union of the Duchy of Warsaw with Russia, he was disposed to make some sacrifice of his own possessions, for the sake of the entire re-establishment of Poland as an independent kingdom. Prince Talleyrand, too, on the part of France, expressed himself thus, in a note to Prince Metternich, dated Dec. 19th, 1814:—"Of all the questions to be discussed at this Congress, the King would undoubtedly consider the affair of Poland as incomparably the most important to the interests of Europe,"—adding, "the partition which destroyed its existence as a nation was the prelude, in some measure the cause, perhaps—even to a certain degree an apology—for the subsequent commotions to which Europe was exposed." The Emperor Alexander, however, opposed the re-establishment of Poland as a nation under a dynasty of its own, and would consent to no arrangements in regard to Poland, of which the annexation of it to Russia did not form a part. As the troops of Russia were at this period in possession of Poland, the three Powers who were anxious for the re-establishment of Poland as an independent nation, did not consider it safe to urge their proposition beyond a certain point. In consequence, however, of the pressing instances of the three Powers, a free Constitution and the Nationality of Poland were conceded by Russia, but only upon condition, that Poland should be annexed to the Russian dominions. The 1st article of the Treaty of Vienna was this:—"The Duchy of Warsaw, with the exception of those provinces and districts which are otherwise disposed of by the following articles, is united to Russia. It shall be irrevocably bound to the Russian empire by its constitution." He entreated the House to observe the expression—"shall be irrevocably bound to the Russian empire by its constitution." This condition was reiterated in various treaties, official documents, and diplomatic notes, from one of which the following passage, which alluded to that constitution, was extracted:—"His royal highness the Prince Regent would then no longer have to fear that any danger to the liberty of Europe should result from the union of Poland with the Russian empire, already so powerful—a danger which would not be imaginary if the military force of the two countries should ever be united under the command of an ambitious and warlike monarch." The constitution, then, of Poland was to be its bond of union with the Russian empire; and let him now, therefore, read to the House one or two of the articles of the charter which gave that constitution. The second article was this,—"The civil and political relations in which we place it (Poland), and the bond by which this union is to be secured, are determined by the charter which we now grant." The ninth article was this—"In every instance in which Russian troops may be introduced into Poland, or Polish troops into Russia, or in the event of the passage of these troops through any province of either of these kingdoms, the support of such troops, and the expenses attendant upon their journey, shall rest entirely with the nation to which they belong. The Polish army shall never be employed out of Europe." This, as well as many other articles of the charter, proved clearly, that there existedno ground for maintaining that the annexation of Poland to Russia was an incorporation of Poland with the Russian empire. Other articles of the charter provided for the liberty of the press—gave publicity to the proceedings of the diet—declared that no person should be arrested, except according to the forms of and in the cases determined by the laws; and farther, that no taxes should be levied except by the authority of the Diet. Now this charter was guaranteed by all the Powers who constituted the Congress of Vienna. All the stipulations of it were expressly declared to be obligatory upon Russia, not only so far as they regarded the Poles, but with reference also to the other contracting Powers, who had desisted from the re-establishment of Poland upon these conditions. Such was the charter, and such the guarantee for the fulfilment of the conditions of the charter. He need hardly, perhaps, state, what was so universally known, that these conditions had been most flagitiously violated in every respect. They had been observed only for the first two or three years which immediately succeeded the Congress of Vienna. The freedom of the press was at an end; for the fifteen years during which the kingdom had subsisted, not a single budget had been submitted to the Diet; but every thing relative to the subject of taxation had been done arbitrarily, and by royal decrees; and, in a word, the charter was no more regarded than if it had been a piece of waste paper. Personal liberty, under such a condition of circumstances, was, of course, quite out of the question. The gaols had been filled with Poles who had been arrested, almost without pretext, and certainly without the shadow of law. The consequence of these arbitrary proceedings on the part of the Russian autocrat had been the appeal to arms, which the Poles were now so gloriously maintaining against their oppressors. He would not detain the House by detailing the particular circumstances which had provoked and led to this open revolt on the part of the Poles against the tyrannical dominion of Russia. He thought he had stated sufficient to demonstrate to the House, that the Poles had sacred and unalienable rights which demanded the protection of the public law of Europe. Before he concluded, he could not help adverting to the general conduct of the Russian government. There had doubtless been many exaggerations as to the views and the capabilities of this formidable and half-civilized Power; but it was impossible for any observing man, who considered the history of Russia for the last century, not to be struck with the fact that Russia, during that period, had never concluded a single war without acquiring an accession of empire. Each of these successive aggrandizements became more marked than the preceding ones; but when they arrived at the conclusion of the war in 1814, and 1815, they saw, in the conduct of Russia, indications of the most ambitious appetite, and a successful exercise of the most arbitrary power, that ever threatened other states. At that time the Russian autocrat did not hesitate to declare, that he had 480,000 men ready to move, and that he would not give up the hold he had upon the Duchy of Warsaw. Napoleon, in the zenith of his success, had never pursued a more daring or a more unjust course. Again, when Austria evinced a disposition to accede to the wishes of the Italian States, who was it that induced Austria to have recourse to the force of arms instead of to just and conciliatory measures? It was the emperor of Russia: and it was he also who had compelled the French King to send an army into Spain to put down the liberal party in that country. And thus it was, that a semi-barbarous despot had been allowed to influence the affairs of civilized States. He observed, that the present Prime Minister of France, in his published speech, was made to profess a peaceful system of policy, and to say, that the French Government would do all in their power to preserve the peace of Europe undisturbed. This, however, was the language of fallacy. The French Minister could not preserve that which did not exist. The French Minister could not preserve that entire which was already broken. Europe was not in a state of peace, and could not be in a state of peace while the war in Poland continued,—while the Powers of Europe allowed the continuance of that war, which was an outrage and an insult upon all the great potentates who, by their representatives at the Congress of Vienna in 1815, guaranteed the national independence of Poland, upon certain and defined conditions, each of which had been violated. If Russia were successful in the struggle, and Poland were subdued, that country would be garrisoned, not as heretofore, by Polish troops, but by a Russian army. This work effected, it would not be difficult to foretel whither Russia would next direct her encroaching steps. The doctrine of the French Prime Minister, therefore, was a fallacious one, and the fallacy of the French policy must continue while the war between Poland and Russia was suffered to continue. While he was on this subject, he might be allowed, perhaps, to make an observation upon the speech of the French Minister for Foreign Affairs. That Minister was reported to have said,—"Look at the map, and see if it be possible that we can assist Poland." Now this appeared to him to be bad in argument, and to betray a sad want of recollection. The French Minister might have remembered that, be the distance between

France and Poland what it might, the armies of France and of Russia had traversed it two or three times within the last twenty years. He would say further, that this speech of the French Minister, if correctly reported in the newspapers, (and it was there that he had read it), was not justifiable—that it contained an important disclosure of the policy of France, which might be highly detrimental to the interests of Europe, and which, although it might furnish a temporary defence for the French Administration, furnished that defence at the expense of their country. He trusted, however, that the French people would recollect, that the same sword which was now reeking with Polish blood, would have been brandished by the despotic barbarians of Russia upon the frontiers of France, for the purpose of putting down the revolution of July, if it had not been for the energy and promptitude which characterized the revolt of the French people against their domestic tyranny. He had now but to add a few words with regard to the conduct of Prussia in this struggle between Poland and Russia. He had not rested his views of this subject upon the statements which had appeared in the newspapers, many of which, however, seemed to be well authenticated, but, as a military man he had been convinced, for the last two months, that the resources of the Russian army must have been derived from some neutral Power. The Russian army had crossed the Vistula; their rear was on Prussia; and for some time their communication with Russia had been cut off. No army, so situated, could have maintained the position which the Russian army had so long maintained, without having derived resources from the neutral power. The hon. and gallant Member concluded by moving, as an amendment upon the motion before the House, "That an humble Address be presented to his Majesty, that he would be graciously pleased to give directions, that there be laid before the House as early as pending negotiations would admit, information showing how far neutrality may have been observed or violated in the present war by the States bordering on Poland, particularly Prussia, whether in reference to those bodies of troops, that may have taken refuge or passed within neutral frontiers, to supplies of provisions of arms, of munitions, or aid of any kind, or in respect to the free passage of, or obstructions to the passage of merchandize, to and from the territories of the kingdom of Poland."

Mr. Dominick Browne seconded the amendment.

Viscount *Palmerston* said, that he could not concur in the Motion, and did not intend to follow the hon. and gallant Member through the discussion into which he had entered, of the various transactions within the last few months connected with the unfortunate war between Russia and Poland. He was sure that the House would believe, that the Ministers of this country could not have witnessed that contest without the deepest regret, and that it would be most satisfactory to them to see it terminated. At the same time he was convinced the House would feel that, if he entered into a discussion of the merits of the cause of the two parties—of the circumstances out of which the war had arisen—of the conduct of other nations in reference to that contest—he should be widely departing from that line which it was his duty as a Minister of the Crown to observe. The Motion in its present form did not require the production of papers: the fitness of laying them before Parliament was made to depend upon a contingency, and he suggested to the hon. and gallant Member, that he might wait until the period arrived when the documents could be produced without injury to pending negotiations. He trusted, that the House and the hon. and gallant Member would not think, that he was wanting in respect to either, if, without going into details, he simply entreated that the Motion should be negatived, without requiring him to enter at all into the question.

Mr. *Hume* was unwilling to prolong the discussion unnecessarily, but he trusted that the noble Lord would not refuse to satisfy the just expectations of those who took a strong interest in the war between Poland and Russia. The noble Lord would not deny, that the five great Powers at the Congress of Vienna (always ready enough to maintain other engagements) bound themselves by treaty to maintain the rights and privileges of the Poles. The Poles were placed under the protection of the States of Europe, and on that ground the British Government ought to show that they had a disposition at least to consider their claims. He (Mr. Hume) was sorry that this country had been a party to the stipulations at the Congress of Vienna; but as Ministers had taken such a strong interest in the affairs of Holland and Belgium, it became them to take care that the liberty of the Poles was equally secured. He did not require the noble Lord to disclose anything that would interfere with the success of measures in progress, and he was willing to believe the British Cabinet had adopted such as were consistent with the dignity of this country; but he hoped that the noble Lord would declare his intention to maintain the treaties negociated by Lord Castlereagh in 1815. The proceedings of that noble Lord on that occasion did him more honour than perhaps any other act of his life. To him the Poles were mainly indebted for the stipulations to secure them a constitution distinct from that of Russia. He had expected, that the noble Lord would have admitted the rights of the Poles, and that they were entitled at our hands to as much justice as we had endeavoured to secure for Belgium or Holland. He had, therefore, heard with great regret the meagre, or rather the no answer of the noble Lord. He was sorry that more had not been said; and he was sure that what had fallen from the noble Lord did not shew, that the honour and character of England in respect of Poland were unsullied. He thought we were at least bound to insist on the execution of the Treaty of Vienna. He begged to enter his protest against such partiality as the British Government seemed disposed to show in protecting Belgium and resigning Poland to its fate. A nation nobly struggling for its liberties was entitled to all the benefit which latitude of construction could give, and the weight and influence of Great Britain ought to have been thrown into the scale of suffering Poland. As far as had come to his knowledge, not one of the great Powers had shown the least sympathy, or had taken any measures for maintaining good faith towards Poland. No person could be less anxious than he was to drive Ministers into a war, but they ought to interfere for the Poles as well as for the Dutch and Belgians.

Viscount *Palmerston* hoped that nothing he had said, and nothing he had omitted to say, would lead any man to suppose that the British Government had forgotten any obligations imposed upon it by treaties, or that it was not prepared to fulfil those treaties.

Mr. *Dominick Browne* said, that he had felt the utmost indignation at the apathy with which the House had listened to the statement and motion of the hon. and gallant Member. He had hoped to have witnessed more sympathy in favour of the Poles than the House had displayed, and he must say, that he felt grieved for the honour of his country. He was not accustomed to act in concert with the hon. and gallant Member, and he should not have seconded the proposition had any other Member come forward. He had full confidence in the Administration of Earl Grey, the friend and disciple of Charles James Fox, the champion of liberty all over the world; and he hoped that justice would be done to the unhappy and oppressed Poles. He had seconded the Motion, because he wished the subject should be noticed, and he might, therefore, perhaps be allowed to express a wish, that the hon. and gallant Member would withdraw his motion and not press it to a division.

Colonel *Evans* was proceeding to remark that he had done his duty, however the House might think fit to neglect its duty, when he was called to order by

The *Speaker*, who remarked, that the hon. and gallant Member was doubly out of order—first, because he had not confined himself to explanation; and secondly, because he had no right to say that the rest of the House did not do its duty.

Mr. *O'Connell* was of opinion, that this was not the precise moment when a question of such a kind could be properly introduced. He believed, however, that the sentiment in favour of a gallant and struggling people was warm and general: it was the anxious desire of all, that they should be able to destroy the foul and grinding despotism to which they had been too long subject. For his part, he devoutly hoped, that the Poles would triumph over their enemies.

Colonel *Evans* was only about to say, when he was interrupted, that the apathy of the House might possibly arise from the cold and feeble manner in which he had brought forward the subject.

Amendment negatived.

COLONIAL REPRESENTATION.] On the motion for going into a Committee upon the Reform Bill, being again put,

Mr. *Hume* rose to submit an important motion to the House, connected with the measure. Every one was aware of the great importance of the colonial interests; and those who were acquainted with the nature, extent, population, and wealth of the colonies, naturally inquired whether they were not entitled to Representatives in Parliament. The population of British India amounted to 80 or 90 millions of souls, and its wealth and commerce were infinite. There were besides thirty-four colonies, including the Canadas, containing a large population and most extensive resources. He asked the House why so important a portion of the King's dominions as the colonies—important both as regards their population and their riches—should not come within the reach of so important a change as that now contemplated in the constitution of that House. It was a clear proposition, as he conceived, that every British interest ought to be represented in that House, according to its population and property; and why were not the colonies to be put in a situation in which they might participate in the power conceded to other portions of his Majesty's dominions? By the common law of the land, every Englishman who expatriated himself to one of the colonies of this country, carried with him all the rights and privileges of an Englishman, subject only to the changes which the local circumstances of the colony in which he resided rendered necessary. The internal regulations of the colonies were placed under the control of the King in Council, until the colonies assumed such a position as to enable the inhabitants to manage their own affairs. The House, however, had never divested itself of the right to manage the external interests even of those colonies which had local legislatures, or to regulate their commercial arrangements, either with the mother State, or with other countries. Every person was aware of the immense importance of the colonies, which naturally divided themselves into distinct classes. The British possessions in India formed one peculiar class, held under a peculiar tenure; the second class consisted of the Crown colonies, under the government of the King in Council, and having no local legislature; and the third and most important class consisted of those colonies which had a legislative assembly for their internal government and the management of their own affairs. He begged the House to keep in mind the distinction which he drew between those separate classes of colonies, as the proposition he was about to submit was in some degree governed by the distinction. He conceived that the Crown colonies should have the same privileges as other colonies, and have assemblies to legislate for their internal regulation. It was sufficient for him now to state, however, that this privilege was denied to nine colonies, which were known as the Crown colonies. Upper and Lower Canada, however, and fourteen of the West-India islands, had legislative assemblies to tax and regulate those colonies. This, then, was an obvious distinction, and one on which depended the difference he proposed to make in the extent of Representation. He proposed to give a more extensive Representation to those colonies which had no local legislatures, but were governed by the King in Council; and at the same time he did not intend that the colonies which had local legislatures should be wholly unrepresented in the Imperial Parliament. By the statute of the 18th Geo. 3, c. 12, the British Legislature was prevented from interfering with the internal affairs of the colonies which obtained local legislatures, but power was reserved by the same Act to the Legislature of Great Britain to make such regulations as it should deem expedient with regard to the commerce of the colonies, however much those regulations might affect the interest of one or all the colonies. It was, therefore, in the power of the British Legislature, to reduce any one or all the colonies to beggary, or greatly to promote their prosperity — a power of immense importance to the whole of the colonial interests. What he now proposed was, to give the colonies a partial Representation—such a Representation as would place a person in that House capable of stating the grievances and wants of each particular colony, and of giving information on questions which perhaps affected the existence of those colonies, as colonies of this country. In looking to the state of misgovernment into which the colonies had fallen, more appeared to have taken place from the ignorance of the House and the country, as to the real interests of the colonies, than from any design to pass laws which would produce evil consequences. It was important that the House should be placed in a situation in which the best information might be obtained with regard to the colonies, if it were only to avoid the recurrence of those evils which the British Legislature had before inadvertently and unadvisedly fallen into. He conceived that such an alteration would place England in a much better relative situation as regarded its colonies. Twenty millions nearly were now paid annually by this country for the support of its civil and military establishments (putting out of view the sum paid for the interest and management of the Debt); and of that enormous sum raised out of the taxes of this country, how large a portion arose from the expenses entailed on the country by its colonies? Either as regarded the financial view which the question presented, or the rights of the colonists as English subjects, he submitted, that this subject was most important, and deserving of the most serious consideration. Hitherto a large portion of British subjects, resident in the colonies, were deprived of any legitimate mode of laying their wants and wishes before that House. It was true, some Gentlemen connected with the colonies found their way into the House. But one of the greatest and most striking objections to the Reform Bill had been, that, when it came into operation, the same means would not exist for enabling Gentlemen connected with the colonies to obtain seats; and a large portion, if not the whole, of the colonies, would be left without any legitimate mode of conveying their wishes or wants to the Imperial Legislature. He (Mr. Hume) did not mean to say, that, even after the Bill came into operation, some Gentlemen connected with the colonies might not obtain seats for populous places in the United Kingdom; but that was a very different thing from having a member for each of the colonies, or a number of the colonies united, who would sit as the representative of the colonial population, and be ready at all times to state the wishes of his constituents, and support their interests. He was, at the same time, of opinion, that when such an important change was about being effected in the Representation of the country, it was but just and right that they should give the colonies the power of deputing Members to that House, who would be better enabled to represent their feelings and interests than persons who had, as it were, only a chance and indirect connection with them. In proposing to give a certain number of Members to the colonies, he did not want to add to the actually existing number of Members in that House; and he meant to limit his proposition to the smallest number of Members that could efficiently represent the colonies. It would be seen that by the Reform Bill proposed by his Majesty's Ministers, the number of Members would be lessened by about thirty-two, and he did not intend to ask for so many Members for the colonies. He would only ask for nineteen Representatives for the colonies, and he did hope that hon. Members would not be so niggardly as to deny that proportion to them. He had said, that he would call for nineteen Members for our colonial possessions, and he would propose to allot them in the following manner:—He would propose to give to

	Members.
British India	4
The Crown Colonies	8
British America	3
The West India Colonies	3
The Islands of Jersey, Guernsey, Alderney, and Sark	1
Total	19

He would propose that the Members for our possessions in India should be allotted as follows: that Calcutta, which was the capital of Bengal, should, including the extent to which the limits of the King's Court reached, be represented by one Member; that Madras, in like manner, and under the same regulations, should have a Member; that the third Member should be given to Bombay; and that the fourth Member, which he proposed to give to British India, should represent Singapore, Malacca, and Prince of Wales's Island. The Crown colonies, to which he next came, it should be recollected as he had already stated, had no legislative assemblies of their own, and on that account he would propose to give them a large proportion of Representatives; eight in all, which he would allot in the following manner:—

	Members.
For Trinidad and St. Lucia,	1
Demerara, Essequibo, and Berbice	1
Ceylon	1
The Mauritius	1
The Cape of Good Hope	1
Malta	1
Australia	1

[a laugh]

Gentlemen might laugh at Australia having a Representative in that House; but he (Mr. Hume) could show, that there were more British subjects in Australia than in twenty of the boroughs they proposed should retain Members. To Gibraltar he also proposed to give a Member, which would make eight Members for what were called the Crown colonies. With respect to British North America, he proposed that

	Members.
Upper Canada should return	1
Lower Canada	1
And Nova Scotia, New Brunswick, Prince Edward's Island, Newfoundland, and the Bermudas, united	1
Total number of Members for British North America	3

With respect to the West Indies, he proposed to give to

	Members.
Jamaica	1
Barbadoes, Grenada, St. Vincent, and Tobago	1
Dominica, Montserrat, St. Nevis, St. Kitt's, Anguilla, Tortola, and Antigua	1
In all	3

which he submitted was as small a number as could possibly be given to the West-India colonies. There was another group of islands under British Government and influence, and lying contiguous to our own shores, the inhabitants of which, although British subjects, had always been treated as foreigners—he alluded to the islands of Jersey, Guernsey, Alderney, and Sark, which had no representative assemblies, but were governed by the King in Council. To this group of islands he proposed to give one Representative; and if this were done, he thought the population of those islands might feel they were Englishmen, which it was not possible they could have heretofore done. He felt that nineteen Members was a large number to propose to add at once to the representative body in that House; but when Members looked to the magnitude of the interests those Members were to represent, he hoped they would not consider that he proposed too much. From returns which he held in his hand, as to the population and trade of the colonies, he would state some details on which his plan of colonial Representation was in a great degree founded. British North America contained 911,000 inhabitants, of which 229,000 were freemen. At present, the exports from the British North American colonies exceeded 2,000,000*l.* per annum, and the imports were upwards of 1,100,000*l.* From this statement the House would see the importance of those colonies. The next class to which he should refer was the West-India colonies, and his return included three or four of the Crown colonies. In those colonies there was a population of about 135,000 freemen, consisting of whites and people of colour, and 694,000 slaves—altogether 829,000 persons. The annual value of the imports into those colonies was 5,500,000*l.*, and the exports amounted to 9,000,000*l.* and upwards. The Crown colonies, including Gibraltar, Malta, the Cape of Good Hope, Ceylon, and Australia, contained 238,388 free whites, and altogether 1,373,000 inhabitants; the number of ships employed, and the imports and exports, being in proportion. It was not necessary, perhaps, to enter into any details to show the importance of British India. To satisfy the House, however, that the distribution of Members, of the four Members he proposed should be allotted to India, was not unfair, he should read a statement which he had procured. He could have wished it was more correct, but it was the most correct he could obtain. Calcutta, which it was proposed should send one Member, contained 1,200 Englishmen, within the limits of what was called the Ditch (exclusive of the King's troops), and there were 1,800 Europeans outside of the ditch, and within the jurisdiction; altogether there were 3,000 Europeans in Calcutta; 20,000 British Indian freemen, the children of British parents (13,000 of these were in Calcutta, and 7,000 in the provinces); and there were 265,000 natives in the town, and 360,000 in the villages. Total in Calcutta, 23,000 whites and persons of colour, and 625,000 natives. To this vast population it was proposed to give only one Representative; but that Representative would, at all events, be capable of giving the House information on every subject connected with the national interests of this vast population, and of showing how they would be effected by any measure proposed. Madras, to which it was also proposed to give one Member, had a population of 200 whites, 7,000 or 8,000 freemen and people of colour, and 463,000 natives. In Bombay there were 300 whites, and 162,000 natives; and in Singapore, Malacca, and Prince of Wales' island, there were 108 whites, and 104,000 natives. For the whole of British India, however, he proposed only four Representatives. The next consideration was, the mode in which it was proposed that those Representatives should be elected. The House would recollect, that five years ago an Act was passed by the British Legislature for the purpose of giving natives and foreigners resident in India, the right of sitting on Juries in the King's Courts. It was left to the Judges of the Supreme Courts, however, to point out the qualification which should entitle men to serve on Juries. Now what he (Mr. Hume) meant to propose was, that every man entitled to sit upon Juries in India, should also be entitled to vote for a Representative. There was a constituency, therefore, ready prepared; and, what made it better, it was not prepared for this, but for other purposes. It was not as numerous as he could wish, but it would become much larger when the natives found, that such an important privilege was attached to the right of sitting on Juries. In this way the elections would be conducted in Calcutta, Bombay, and Madras, to which the act relating to Juries had extended. With respect to Singapore, Malacca, and Prince of Wales' Island, where no such constituency at present existed, he could see no difficulty whatever in extending the regulation which prevailed in the other places in India, which he proposed should return Members, to those three places, and thus establishing a constituency equally unexceptionable. There was no difficulty, therefore, as regarded British India, in finding a proper constituency to return its four Members. As to the millions of Upper India, he had only one word to say. He did not think that there should be a different system of Government for them, but he proposed only to take in the Presidencies existing under the British laws, being unwilling to mix up with the Representation the vast extent of Interior India. He was also free to say, that he considered the Member to whom the suffrage was given in Calcutta, would be a sufficient security that the interests of all the other places not included within the Presidencies would be in some degree attended to. He had done with British India, and should now enter upon the subject of the Crown colonies, which was the next important branch. Trinidad he proposed to unite with St. Lucia. Trinidad contained 4,000 white men, and 16,000 free blacks, in all, 20,000 freemen and 44,000 slaves. St. Lucia contained 972 whites, 3,718 free blacks, and 13,000 slaves, altogether, in round numbers, a population of 18,000. The united population of the two islands was 62,000. The exports exceeded 400,000*l.*, and the imports 800,000*l.* Demerara, Essequibo, and Berbice contained 3,500 whites, 7,500 free blacks, and 90,000 slaves—altogether, a population of 101,000. Ceylon contained 6,415 Europeans, and 906,000 natives freemen. The Mauritius contained 8,800 whites, and had a total population of 101,000. The Cape of Good Hope had a population of 56,000 whites, 37,000 free persons of colour, and with slaves, a population of 129,000. Malta contained a population of 119,900 freemen, and New South Wales had a population of 30,351 freemen, who ought to have many of the privileges of British subjects which they had not. Gibraltar contained 17,000 freemen, and though a military station, as it carried on an important trade, was the entrepot to Spain, and the key to the Mediterranean, he thought it ought to have one Representative. Under all the circumstances, he did not think it too much to propose, that there should be eight Representatives for the whole of what were called Crown colonies. As to the manner in which the Members for those colonies were to be chosen, he admitted there was more difficulty than in the case of British India. Taking Ceylon for instance, however, it appeared, that Sir Alexander Johnstone, when he was in that colony, extended to the natives the right of sitting on Juries. Now, if men were entitled to sit on Juries, and to determine on a matter so important as the life or death of a fellow-creature, he contended that they could not be considered as unworthy to give a vote for a Representative for the colonies. In all the Crown colonies, he believed that the qualification might be fixed, without any great difficulty. From inquiry he had made, he had ascertained, that there would be no difficulty whatever with respect to Trinidad; and, as far as he had consulted those gentlemen who were connected with the other colonies, he did not think, that any great difficulties would be experienced in regulating the mode of conducting elections there. But he might be asked, were the slaves to have a vote? In reply to such a question, he would say, no; they were not allowed to sit on Juries, and therefore, he would not give them the right of voting. To his right hon. friends opposite, who had started that objection to his plan, he would put this question—was every man in England to have a vote? He (Mr. Hume), whatever might be his opinion on that subject, would not throw any difficulties in the way of this great and important change, by insisting on such a principle as that. He, nevertheless, did not hesitate to avow it as his opinion, that every man who contributed to the taxes, even by the consumption of taxable articles, was entitled to a vote. That was his honest opinion, though he did not insist on it. When, therefore, he was asked, "Why not give the right of voting to the slaves?" he would ask, in return, "Why not give the right of voting to every man in England?" He was disposed to go great lengths to obtain his views for the colonies, and he was not inclined to forego all claims, because he might not be able to obtain every thing he wished. The next class he had to propose was, in his opinion, one of the very highest importance—he alluded to the West-India islands. It was well known, that considerable differences of opinion, upon important colonial subjects, had, for a long time, existed between the inhabitants of the West-India islands, and the Government at home; and he, for one, ardently wished to see a perfect reconciliation between the colonies and the mother country, and to have them put upon a better footing of agreement, and with less chance of the possibility of any future discord. He conceived, that the best way to remove all sources of discontent was, to give the people of these wealthy and populous colonies a fair means of having their interests and feelings properly represented in the Legislature at home. What he specifically proposed was, to give the West-India and North-American colonies four Representative Members to sit in that House. It had been suggested to him by persons who were well acquainted with the subject, that it would be better if he varied this proportion of Representatives: but, in his opinion, after considering the subject in all its lights and bearings, he thought what he now proposed was fair, and, in every respect, expedient. He would first name the important island of Jamaica, and to which he would add the Bahama islands. The island of Jamaica, at the present moment, contained a white population of 30,000 individuals, and to these were to be added a population of 37,000 freemen of colour, making a total population of 67,000 souls. When he stated this number, and the House called to mind the wealth and trade of the island, he did not think that any one hon. Member who heard him would think he was asking much, if he required only one Representative for this great and important colony. He would next come to the island of Barbadoes, which contained a population of 14,959 whites, and 5,146 freemen of colour, making, altogether, a population of 20,105 free persons. The island of St. Vincent had 1,301 white inhabitants, and 2,824 free persons of colour, making a total of 4,125 souls. Grenada contained 801 white persons, and 3,786 free persons of colour, in all 4,587 free inhabitants. The population of Tobago was 1,486, of which 322 were white persons, and 1,164 were freemen of colour. For these islands, which probably contained altogether a population of 30,000 free persons, he only asked that one Representative should sit for them in the House of Commons. He would now come to another division of islands, and the first he would take was that of Dominica, the white population of which amounted to 840, and the free persons of colour to 3,606, making in the whole, 4,446 souls. Montserrat had a population of 350 white persons, and 814 persons of colour who were free, so that its total free population was to be taken at 1,164 souls. The population of St. Kitt's was 1,612 whites, and 300 freemen of colour; of Tortola, 477 whites, and 1,296 freemen of colour; of Antigua, 1,980 whites, and 3,895 persons of colour; and of St. Nevis, the total free population was 2,700:—so that of this last division of islands, comprising Dominica, Montserat, St. Kitt's, Tortola, Antigua, and Nevis, the free population amounted to about 20,000 souls, and for these he asked for one Representative. He had forgotten to state, that the population of the Bahama islands amounted to 4,243 white persons, and 2,991 free people of colour, making a total of 7,234 souls. The Bermudas he proposed to attach to the Representation of Nova Scotia, and would refer to them hereafter. He would take the population of the Bermudas at 3,905 white persons, and 738 free blacks; in both, 4,643 persons. But he would now come to the mode in which he would have these Representatives elected, and upon this subject he would only say, that the machinery at present existing in the colonies was sufficient for all the purposes of election, if the plan which existed in the United States of North America were to be followed. First, he would propose, that the island of Jamaica should elect a Representative to sit in that House, and in this case, there would be no difficulty. In the next divisions, where there were three or four islands or colonies to send a Representative between them, what he had to propose was, that the existing legislative body in each of the colonies should elect a delegate, and that these delegates should meet together, after the manner of the Scotch boroughs, and choose a Representative between them. The seven islands, from Dominica to Antigua and Nevis, should choose a Representative by the medium of delegates in a similar manner. If it should occur that the votes of the delegates were equally divided, let the returning island have the casting vote. His Majesty's Ministers had divided the islands into two classes, with a view to establishing circuits among them, and he had formed his plan upon the principle of the division established by Government for the purpose of the visitation of the Bishop. The exports to these islands amounted annually to more than 4,000,000*l.*, and the annual imports exceeded 6,000,000*l.* sterling, and the shipping employed in the trade exceeded 192,000 tons. Three Members could not be considered as too many to represent such great and important interests. He would next come to the British North American colonies. If it were wished to keep these colonies in our power, the object must be, to place them upon the most friendly terms with the mother country. He was persuaded, that all the bickerings and unpleasant feelings which, he was sorry to say, did exist in these colonies might have been prevented, if the colonists had possessed any fair and adequate means of stating in that House what were their feelings and wishes, and what were the evils under which they suffered. Year after year had these colonists sent petitions to that House, and he had then a petition from them, signed by 10,000 persons, complaining of grievances which, he was persuaded, never could have existed, if the complainants had been fairly represented in Parliament. He would propose that the older province of Lower Canada, which contained a population of 423,630 freemen, should have one Representative in the British Parliament. Upper Canada contained a population of 188,000 souls, and he proposed that that province should likewise send a Member to Parliament. He was aware that, in stating the population of the colonies, he had, in every case, made the amount less than it actually was, but he had taken the numbers from the official returns in the Colonial Office. He very well knew, that the province of Upper Canada, instead of 198,000, contained 265,000 souls. He now came to the remainder of the British colonies in North America. The province of New Brunswick contained a population of 72,000 souls; Nova Scotia, with the island of Cape Breton added to it, had a population of 142,000 souls; whilst the population of Prince Edward's Island was 23,000, and Newfoundland 60,000; so that these colonies, with the Bermudas, comprised a population of 239,000 individuals, and for these he only asked for one Representative in that House. By this plan, the whole of the West-India islands, and the whole of the British colonies of North America, would have six Members to represent their interests, and to express their feelings in the British House of Commons. Having proposed what number of Members should be chosen, and how they should be chosen to represent the colonies in the House of Commons, the next point to consider was, when they were chosen, how they were to get to this country. He had three strings to his bow. The first was, that the colonial Representatives should be elected for three years certain, whether in that three years there should be one, or two, or more, Parliaments elected in England. The colonial Member appointed to one Parliament, in the event of a dissolution, might hold his seat till the return of the Writ to the new Parliament. This interval might be six months for the West Indies [*laughter.*] He had begun his speech by expressing a fear, that very few Members who heard him would give their attention to the subject, but he was now convinced, that those who laughed did give their attention to it. The late Secretary to the Admiralty might laugh, but—[Mr. *Croker:* I did not laugh at all. I was reading this paper.]

He only offered to the House the best plan he could devise, and he hoped to hear some better plan from those who had continued to laugh at all that he had proposed. He was as well aware as those who laughed at him, that his plan was not perfect, but still he felt thoroughly convinced, that it was an improvement upon the old system, and that it would free the country from many great evils and difficulties which existed, and which every man wished the country to be relieved from. His third plan was, that at the commencement of a Parliament, or when the Writs were issued, the Speaker should issue his Writ for the colonies. In that case he was well aware, that for a certain number of months, the colonists would have no Representatives at all; and although this, in his opinion, would be an evil, yet they would not, even in that case, be worse off for a time, than they now were always. In six months, Representatives would arrive from the West Indies, and in one year from the East Indies. He thanked the House for the attention he had received, for the measure was one of the greatest importance. For his part, he thought the colonies likely to be more a burthen than a benefit, if they did not act cordially with the mother country; and he thought, that sound wisdom required that the House should devise means to attach to the mother country, by good feelings, so important a branch of the empire. He conceived, that his proposition was of more importance to the other branches of the British, than to the colonial public; for, if it were carried, it would have the effect of diminishing the number of troops and the total expenditure on account of the colonies. His wish was, to have all the details of the subject submitted to a Committee, which might bring in a bill that would effect the object he proposed, without disturbing any interests, or violating any established principle whatever. One hon. Member had stated, that the colonies had no right to have Representatives in that House, because they had colonial legislatures of their own. He would beg to remind all who were of that opinion, that the colonists had rights which consisted of two parts. The first of these was, the right of legislating for themselves in affairs of taxation and of domestic management—the other right was, to have a voice in making those laws which affected their commercial intercourse with the mother country and with other colonies. It was for the latter purpose, and as the general commercial regulations of the empire affected their interests, that the colonists ought to have Representatives in that House. At present the House of Commons had a right to ruin or encourage any colony, without the colonists being heard upon the measure which involved their fate. It had been submitted to him, that as the Crown colonies had no Representative legislation within themselves, they had a better right than any other to be represented in that House, but he was not of that opinion. As the subject was new to the House, he felt it would be improper to press it to a division, but he thought the present a very proper time to lay his plan before the House, in order to ascertain how it would be taken, and in order, likewise, to give his Majesty's Ministers time to view the various details, and to be able to give their fair and proper opinions upon the subject, when it might be brought forward again. In the mean time he should only move, "that it be an instruction to the Committee, to make provisions for the return to this House of Members, to represent certain colonies and foreign possessions of his Majesty."

The Marquis of Chandos seconded the Motion.

Mr. *Labouchere* said, it was not his intention to trespass long upon the House. He was sure the hon. member for Middlesex would acquit him of levity or indifference to the interests of the North American colonies, when he assured the hon. Gentleman, that he had strong, indeed insuperable objections, to give a direct Representation in the British House of Commons to those colonies. The hon. Gentleman seemed to think that his plan was altogether novel; but he (Mr. Labouchere) could show him that it was not so. Mr. Burke had entertained some notion of a very similar plan; but the same great authority not only abandoned the plan himself, but gave a complete answer to all similar propositions in the words "Posuit natura." It was impossible, that countries so far separated from England could be effectually represented in that House. It was impossible that Members from the colonies could discharge their double duties. They could not, at the same time, give proper attention, as part of the Representatives of the whole empire, to the general interests of the country, and also the necessary attention to their subordinate duty of promoting the interest of the colonies. It would be quite as improper that Gentlemen sent from the colonies should vote for the taxation of this country, as that the House of Commons here should regulate the local taxation of the colonies. He thought that twenty Gentlemen from the colonies, sitting in that House, would form a little knot, combining together to carry some particular measures, and totally indifferent about every other. They would be at the disposal of every Minister, and ready to enter as a body into a compact with the Minister to this effect, that, if he supported them on some colonial question, they would support him, in return, upon every other occasion. He admitted, that there was some weight in the objections which had been urged, and the complaints made on the subject of that want of Representation of the colonies in this country; but he thought much of the ground upon which those objections and complaints rested would be destroyed, were the system of colonial agency placed upon an improved footing. He was the furthest in the world from wishing that the mother country should interfere with the internal regulation of colonies; for it would be utterly impossible to find a Legislature at home, possessing the information requisite for the sound and good government of a distant colony. It had been said, that Parliament was omnipotent; he would add, that it was not omniscient; and that upon the subject of colonial policy and regulation, it had committed the greatest blunders. Having said so much upon those topics, he should now address himself to a different branch of the subject—he meant the importance attached to their having the assistance of colonial Members in the discussion of great and important Imperial Questions—an assistance which, though he was far from undervaluing, did appear to him not to be required in that House. As long as they had assembled within those walls the best and noblest portion of the British nation, he had no apprehension but that a high sense of their duty would at all times induce them to advocate colonial interests, and leave nothing to be wished for upon that point. If it were so, as he presumed would not be doubted, he scarcely expected that they would want the assistance of colonial Members upon any other subjects. He had heard it said, that in making so great a change in the Representation of the country, as by the present Bill it was proposed to effect, measures ought to be taken for giving Representatives to the great monied and banking interests of the country, so as to grant some substitute for the virtual Representation which the Bill went to destroy. That was a subject materially connected with the question which the hon. member for Middlesex had brought under consideration, for both had reference to what was called indirect Representation. He confessed himself one of those who thought that the great monied and banking interests ought to be represented in that House, and represented without bribery or corruption. He never could be brought to think, that bribery and corruption were necessary to the Representation of the monied interests in that House. Ten or twelve Members sent in from that class, would be a very valuable addition to that House, but as to the plan of giving direct Representation to the colonies, he entertained the strongest objection to it.

Mr. *Keith Douglas* said, that in the present times of wide and sweeping change, the plan of the hon. member for Middlesex was a subject of the very highest importance. The idea of giving due protection to the commerce and colonies which had raised this country to its present greatness, was worthy of the most attentive consideration. It appeared by the returns of 1827, that our colonial imports were then worth 90,000,000*l*., and our exports 80,000,000*l*.; that the ships engaged in carrying on this trade amounted of 4,580 capable of conveying 900,000 tons of merchandize, independent of those employed exclusively in the colonies themselves. They were now about to localize the Representation, and in all probability the various boroughs would in future return Gentlemen resident in their immediate vicinity, so that the class of persons connected with the colonies, who had hitherto found their way into Parliament, and who were alone able to give information relating to colonial matters, would be completely excluded. In whatever point of view the great question of our colonial policy and government came to be considered, it was impossible to doubt that the hon. member for Middlesex had done perfectly right in bringing forward the present Motion. The hon. Member had, in bringing the subject under consideration, opened their eyes to the fact, that his Majesty's Ministers did not by any means pay that attention to our colonial possessions to which they were entitled. He was perfectly ready, however, to admit, that there would be considerable difficulty in attaching to the bill a clause, having for its object to create a system of colonial Representation. But an impression had gone abroad, that the present Government did not attach so much importance to our foreign possessions as they deserved; that as this country was the great workshop of the world, it was no longer necessary to rely on colonies. If our object was to maintain, as it ought to be, our commercial and naval supremacy, the interests of our colonies could not be kept out of sight. He was afraid the spirit of the Bill now before them showed some symptoms of the kind of policy he thought so objectionable. He should wish to see Representatives given to the colonies, or some other mode devised to protect their interests, but he did not see how it was to be accomplished.

Lord *Althorp* would neither go into the principle nor the details of the proposition made by his hon. friend, the member for Middlesex. It was so perfectly clear, that a clause of the nature contemplated by his hon. friend could never be introduced in the present measure, that he should not waste the time of the House by saying one word against its adoption. They had now been in Committee upon the Reform Bill for more than a month, and he professed himself unable to comprehend how his hon. friend could imagine the possibility of such a clause being now introduced. When the importance of the colonies was spoken of, he felt that he should be the last man in the House or the country to dissent from such a sentiment, but that importance did not in the slightest degree remove the difficulty of introducing such a clause as had been proposed, into a Bill, which, upon the showing of the hon. Gentleman himself, was already complicated enough. If the clause in question were attempted to be introduced, others similar to it would speedily follow, and there would be no end to the business of the Committee. The fact was, that the proposed clause had been used as an argument against the general provisions of the Bill; and whether he looked to the clause as creating increased delay, or in other points of view, he could not but regard its tendency as most hostile to the great measure of Reform. He should not, therefore, enter into the question, for doing so would be but causing to Ministers that delay which he so much deprecated. But he would put this question—Did the House suppose the clause moved could be added to the present Bill? and if so, did they think that was the fit time to propose it? He should not be induced to detain the House longer, for his object was to prevent unnecessary discussion.

Sir *John Malcolm* thought, the subject had been treated with neglect, and that the hon. member for Middlesex was entitled to the applause of the House and the country for bringing it forward. He did not go along with the hon. member for Middlesex in many of his details respecting India—the only part of the subject with the details of which he pretended to be acquainted, but still he was thankful to the hon. Member for what he had done. Under the Reform Bill India would experience an immense loss, and it was absolutely necessary, if that empire was to be retained, that some compensation should be made. The noble Lord (the Chancellor of the Exchequer) had, in fact, admitted the position which he (Sir John Malcolm) had before contended for. Under the Reform Bill, India would be without Representatives, and he certainly had expected, from the admission of the noble Lord that some arrangement would have been made to do away with the danger which would result from such being the case. He had no doubt that in the Reformed House of Commons money and property would have their influence. Of course they would; but their influence would be directed in a different course to what it hitherto had been. Persons locally connected with the different places returning Members would be required as candidates; and those who had served abroad, however meritoriously or efficiently, or whatever might be their knowledge of the interests or the wants of our foreign possessions, would be without a chance of obtaining seats in the House. Such would not be a desirable nor a safe state of things. He had seen measures on the brink of being adopted by that House which would have risked the empire of this country in the East, and which had been stopped only by the timely evidence of men who spoke with authority, for they spoke upon personal experience. Under the Reform Bill there would be no such men to assist or to direct the judgment of the House, and therefore it behoved that House to consider well how it would supply the deficiency. He would not say this if the records of the admirable government in India were received as evidence; but they were not; they were doubted by many, and derided by some. The government in India required no new checks; it was already restrained by a link of checks more perfect than was imposed upon any other government. There was another point of view in which he found the Reform Bill would produce a most serious effect upon India. The Reform Bill, in his opinion, would do anything rather than give stability to the Ministry. Now, if there was one thing upon which more than another depended the preservation of our empire in India, it was upon there being a strong Government at home. Perpetual changes in the Government of this country vibrated to the very extremities of that empire, and was likely to produce the worst effects. He said this upon his own knowledge, and not upon untried theory. He wished to God he could console himself, when he looked upon the many evils of this Reform Bill, with the thought, that after it was passed the present Ministers would preserve their places. Such, however, he was convinced would not be the fact. The additional Members for London, and the additional Members for the sea-ports and the manufacturing towns, would press so hard upon the Administration that it would find it impossible not to abandon India to their views. Upon the great question of the government of India he should be prepared, at the proper time, to give his opinions. In what he said now, he did not at all mean to anticipate the discussions upon that subject. Upon it he had written books, as the noble Paymaster of the Forces had upon another subject; but he trusted he should be consistent. He had, on a former occasion, at considerable length, expressed the grounds of his objection to the Reform Bill, so far as it went to deprive the East-Indian and other colonial interests of their only access—indirect he admitted—to a share in the Representation of that House; and as their validity had not been assailed, he would give his support to any proposition like the present, the tendency of which was to extend to the colonies a share of Representation, reserving to himself the right of discussing its details. It was the more necessary that the colonies should be Represented, because, direct departmental Representation being the characteristic feature and tendency of the Bill, there would be no means for Gentlemen, acquainted with their local wants and interests, to obtain an entrance into Parliament: and while the manufacturing and democratic and aristocratic interests would be duly represented, the no less important interests of the colonies would have no direct or indirect voice in the Legislature.

Sir *George Staunton* said, that he was anxious to say a few words upon the present occasion. The defect in the Reform Bill, which the hon. member for Middlesex proposed to amend by this Motion, however unpopular, was the principal obstacle which prevented him from giving it his unqualified support. All parties, whatever their individual feelings might be, must agree in the one great principle, that it ought to be rendered throughout as perfect and consistent with itself as possible. The foundation on which it proceeded was, to substitute direct Representation for virtual representation and nomination. Acting upon these principles, he was desirous that the proposition of the hon. member for Middlesex, should, at least, have a fair hearing, and full consideration. He was at a loss to conceive any argument that sustained giving Manchester, Birmingham, and Leeds representatives, and denied the same privileges to Canada, Jamaica, and Calcutta. It had been stated as an objection to giving direct Representatives to India, that that country was so far off as to render the plan impracticable. He was certainly surprised to hear such an argument from a supporter of the Reform Bill, for, if he remembered rightly, it had been asserted by other supporters of the Bill, that the Nabob of Arcot had once seven Members in that House. Surely, then, if one person, against law and distance, could send seven Members into that House, an immense population, with law and right in their favour, might so far overcome distance as to send one Member there in safety.—America had been much alluded to, but America did not withhold from States the privilege of sending members to the Congress on account of the distance of those states from the seat of Government. Canada was attached by allegiance to this country, but locally to the United States. If by the chances of war, or other circumstances, that dominion should be transferred, could there be a doubt, that it would be immediately allowed to send its due proportion of members to Congress. It was therefore clearly our interest that the Canadians, should have no such temptation to transfer their allegiance. By the Reform Bill many interests would be totally deprived of Representation, and it ought to be borne in mind, that among the first questions which would come before a reformed Parliament, were some most important commercial and colonial questions. The East-India Charter and the Bank Charter were to be reviewed, and how could that be well effected if all authority upon those subjects were to be excluded from that House? The country ought to know, that it was not only by the House at large that such questions were discussed, but by Committees up stairs. It was, in fact, by Committees up stairs that the most important business was transacted. He sought not the protection or the preservation of the East-India Company as a corporate body, but the maintenance of our empire in India, when he contended that that country should not be left destitute of Representatives in that House. One objection to the plan was, that the colonial Members would combine and think only of their colonial interests; but he would ask, why did it follow, that there would be any such combination? The interests of the different colonies were not the same, and therefore he thought the objection entitled to but little weight. Again, it had been said, that it would be monstrous for colonial Members to tax England; but it should be remembered, that every Member of that House must be possessed of 300*l.* a-year in landed property. He would not enter further into details, though he felt the importance of this subject, which he hoped would hereafter be fully considered.

Sir *Charles Wetherell* said, that every day that passed strengthened the conviction in his mind, that many of the most urgent supporters of the Reform Bill were among the most strenuous opponents of many of its principles. He was glad to find that the senseless cry which had been raised against the avowed opponents of the Bill was now heard no more. Discussions and delay had been complained of, but during the last week the discussion and the delay had been promoted almost exclusively by some of the most ardent and resolute advocates of the Bill. He considered the motion of the hon. member for Middlesex as one of those striking, though indirect, acknowledgments of the justness of the complaints of those on the Opposition side of theHouse, with respect to the practical workings, no less than to the theoretical anomalies, of the Constitution-destroying measure of Ministers. In that light also he had viewed the emendatory propositions of two other reformers—supporters of the Bill—that of the noble member for Northamptonshire, to bestow two Members on those towns which the Bill invested with but one Member; and that of the hon. member for the city of Oxford with respect to the noble Lord's departmental county divisions, each, like the present, an important alteration of the Bill; each also growing out of the obvious defects of that Bill; and each, as he had said, demonstrating the correctness of the views of those defects taken by the Members on the Opposition side of the House. On the first occasion the noble Lord, the member for Northamptonshire, attacked an important principle of the Bill; on the second occasion the hon. member for Oxford, another zealous supporter of the Bill, attacked another important principle of the Bill; and now the hon. member for Middlesex came forward and moved an instruction which the Chancellor of the Exchequer said, if carried, would never let the Bill out of Committee at all. But respecting the subject upon which the instruction before the House went, he must say, that if the Bill was not to be discussed and disposed of in a petty, paltry, and disgraceful manner, but to be entertained with that enlarged feeling, and judgment, and philosophy, which an entire, complete, and radical subversion of the Constitution ought to command, then the House was bound to give it the most serious and the most dispassionate consideration. It would be found to be as entire, and complete, and radical a change in the Bill as could well be devised even by an anti-reformer; and yet it was one so consistent with itself, and with the necessity which the Bill would create for direct colonial

Representation, that he saw not how a consistent reformer could well withhold from it his support. The hon. member for Taunton had asked, how could they think of bringing colonial Members into that House? Why, the answer to that was, that there had been Members for the colonies already indirectly returned to the House, and had acted virtually and efficiently as the Representatives of colonial interests. And what he wished to impress upon the House was, that by the new Reform Bill such Members would in future be excluded from the House, because it closed up for ever those avenues of indirect but virtual Representation. Though the arguments which the hon. member for Middlesex had adduced in its favour, had not convinced him so as to command his vote, they had convinced him more and more of the monstrous injustice of the Bill itself, which it was intended to make perfect. That Bill went to destroy the only chance the colonies had of Representation—indirect it was true—in that House. The hon. Member's arguments clearly established a case of the necessity of some colonial Representation; therefore the hon. Member's arguments were arguments *a fortiori* against the principle of the Bill, which went to destroy what they were intended to effect—colonial Representation. An hon. Member had quoted Mr. Burke as opposed to a proposition like that then before the House; but he had forgotten to add, what was essential to the fairness and completeness of the argument, that Mr. Burke's objections to the proposition were wholly founded on his dislike to any important change in the features of the Constitution as it was in his time. Had that illustrious statesman lived in our Constitution-destroying days, his objection would be removed by the changes having been effected in spite of him, and in the teeth of justice, policy, and reason. He could not for a moment be cited as an authority against the present proposition. What, in fact, did Mr. Burke state? Why, according to the abstract principle upon which the House of Commons was then constituted, the colonies ought to have Representatives, but practically he felt it a difficulty not to be overcome. But Mr. Burke was speaking of the existing Constitution of the country. And if the Constitution was to be torn up in the way the Bill contemplated, the difficulty in having Representatives for the colonies, under the new Constitution, was not insuperable. Mr. Burke's objection was, because it was contrary to existing things. But there was no longer any thing in such an objection, because the Bill had removed the cause of it. What was done with the colonies, he begged to inquire? Were they not taxed? Certainly not in the same way that the House of Commons had attempted to tax America. Nevertheless, he would contend that the colonies were subject to taxation. The trade was regulated, the import and export duties were imposed, by the Legislature. It might not be pleasant to awaken a reminiscence of the Chancellor of the Exchequer, otherwise he would ask the noble Lord, what was the regulation of duty on American timber and Cape wine, but a species of taxation on the colonies? It was true such duties did not amount to a tax, and were not collected abroad; but in substance it came to the same thing, for they were raised at home. At all events it was undeniable, that the Government or Parliament at home exercised legislative powers over the colonies; and in future, if the new Reform Bill passed into a law, they (the colonists) would have no Representatives, either directly or indirectly, in the House. They were told, indeed, that direct representation was not wanting to the colonies, inasmuch as the King and Council, with the aid of the colonial legislatures, provided for their internal wants, while their external relations were properly considered by Parliament in its imperial capacity. The fallacy of this half-true, half-false assertion, was, that it induced them to overlook the very important fact, that under the nominal head of "external" relations of the colonies, that House took upon itself to lay down the amount of all import and export duties, and of all other commercial taxes bearing directly upon the internal condition and welfare of the colonies, and concerning which only those acquainted with their local wants and interests could properly legislate. In fact, the more the question was considered, the more evident would appear the injustice of depriving the colonies of their only means of access to that House, and the more incumbent would it be on them to provide some other mode of Representation. By the Bill, the number of that House would be reduced thirty-three, and of these it was important to bear in mind, that six or seven belonged to the colonial interest, that is, six or seven of the indirect Representatives of the colonies would be completely shut out by the present Bill. And was not India, with its 120,000,000 of British subjects, and our North American and West Indian colonies, as well entitled to Representatives as Brighthelmston or Cheltenham with its chalybeate waters, or even as the important city of Greenwich? Would not the Representatives of the important interests of the great colonies be as well entitled to take a share in the discussions of the Legislature as Gentlemen whose chief business it would be to eat white bait and flounders at Greenwich, and get themselves shampooed and chalybeated at Brighton and Cheltenham? And yet it should seem, from the miserable ribald trash of legislation adopted by Ministers, that these comparatively miserable towns were more entitled to Representatives than great colonial empires—100,000 times more important, whether wealth, population, or commerce were considered. Fortunately, however, as the present motion showed, symptoms of mildew mould began to manifest themselves; the new Constitution fabric was crumbling to pieces in the hands of its own sage architects. The veriest advocates of the Bill—the perfect Bill—the final Bill—were beginning to open their eyes to its glaring deformities. They saw that each page was a page of levity and folly—a page of injustice and outrage against the most sacred principles of the Constitution. How different was the lesson which history read to those who looked upon its pages with the eye of philosophy! The Romans, for example. That great people always extended to their conquests the political privileges of the mother country, and thereby attached their colonies by the ties of a common political constitution; and so it should be with respect to our colonies. The hon. member for Taunton appeared to be under apprehensions that there would be coalitions formed between the Members for the various colonies, which would be likely to produce undesirable results in the British House of Commons. But he did not see why it was at all likely that such coalitions should take place. He saw no point of coalition between the sugar of the West Indies and the indigo of the East Indies, or between the fir timber that was grown in Canada, and the teak timber that was grown on the banks of the Ganges. It was true, that the giving Members to the colonies would not be consonant with the principle of the Bill, and would, therefore, not be acceptable to the Bill-men; but he cared neither for the Bill nor the Bill-men. It would be consonant with the principles of the Constitution, after the former means by which the colonial interests were represented in that House was destroyed, and that was enough for him. The real question was, whether the motion was agreeable to those principles of eternal justice to which the House was bound to attend in legislating for the great, and opulent, and extensive colonies of this country. He congratulated the hon. member for Middlesex upon the motion which he had made that evening—he congratulated him, too, upon his speech, for it was without question the best speech which the hon. member for Middlesex had ever made within the walls of Parliament. He thought, however, that the hon. Member would fail in carrying his motion, notwithstanding his excellent speech. He would beg leave, however, to remind the hon. Member, that there was to be a third reading of this Bill; and if the hon. Member was sincere, as he had no doubt that the hon. Member was, in his proposition, he would then have an opportunity of renewing it with better hopes of success. If the hon. Member could not carry it then, perhaps he would vote against the third reading of the Bill, and would do a good office to his country by defeating it. It might be true that it might be found difficult to elect Members for the colonies on the 10*l.* system which had been introduced into the Bill; but though that 10*l.* system had been represented to be so admirable, he still did not see why another almost as admirable might not be found by which colonial Representatives might be elected. He begged to recommend this consideration to the framers of this Bill—this unaltered and unalterable Bill—the first stereotype of which had long been extinct, and had been replaced by a second unaltered and unalterable Bill. Indeed, this unaltered and unalterable Bill had been stereotyped and re-stereotyped, and re-re-stereotyped, until the founder who had cast the types scarcely knew whether a plate of the original stereotype was left standing. The hon. member for Middlesex was bound by his vote as well as by his speech to protect the colonists from injustice. That injustice had been demonstrated by the hon. Member, not by the use of warm words, but of strong arguments—by recourse to figures and round numbers; for who could call it any thing but injustice to prevent twice sixty millions of fellow-subjects in India from having a voice in the British Parliament? and such must unavoidably be the result of the Reform Bill. Another objection made to the proposition of the hon. Member was, that Members returned for colonies would not have time to return to their constituents in the intervals between a dissolution and meetings of Parliament. That difficulty he thought would be remedied by electing such Members for six or seven years; and to this Whigs could have no objection, as they had been formerly the advocates of long Parliaments. This, therefore, could not be to the Whigs an uncongenial measure. Again, he would say, that if any plan could be devised for remedying the injustice done to the colonists, it was no excuse, that the Bill could not be changed, for already, in many instances, had this unalterable Bill gone through several alterations. There might, it was true, be great difficulty in managing the elections of Members abroad on the principles adopted in England; but in such colonies as had Legislatures, it would be easy to that body to send over one of themselves as a delegate, and thereby avoid the inconvenience of a popular election. He did not mention this with any view of stating, that he was determined to support the motion, but to shew, that though he thought there were difficulties, they might not, on inquiry, be found to be insurmountable. He wished it to be understood, that he was not devising any plan to obviate any of the evils arising out of this new Constitution. That was the business of Ministers, who had, in this instance, increased the difficulties of the colonists. Their crude and ill-considered Bill would exclude from the House such colonists or their friends as got into Parliament through the means of nomination-boroughs, and it was their bounden duty to secure their return in some other way. He wished to pay a compliment to the hon. member for Middlesex. The hon. Member had argued so well for delegates electing a Representative to that House, and in his argument had so ably defended the present scheme of Scotch Representation, that he could not help congratulating the House upon the manner in which the latent member for Montrose had broken through the exterior covering of the hon. member for Middlesex. From his exhibition of that evening, he did hope that when the hon. member for Middlesex put on his philibegs, and quitting the English, armed himself for the Scotch Bill, he would recollect the excellent dissertation with which he had that evening favoured the House on the merits of a delegated Representation. A dissertation more deserving the attention of Government, more pregnant with facts, more diversified with figures, more instructive from its peculiarities of enumeration, had never been opened to the House, than that of the hon. member for Middlesex. They might now, indeed, say, that they had philosophy on their side. They had been told to watch the signs of the times. He had taken the advice which had been so gratuitously and disinterestedly given them; he had watched the signs of the times, and he must say, that the signs of the times for the last four or five days had not been most propitious either to the Bill or to the Bill-men. They had been taunted by laymen, ay, and by Aldermen, too; they had been told to watch the times—not to be obstinate—not to make speeches—not to raise difficulties—not to create doubts, but to follow the signs of the times, and to agree to the Bill. He repeated, that he had watched the signs of the times. He saw that the opinion of the country was changed, and that the current was running the contrary way to that in which for some time past it had been running. If the signs of the times were to guide his opinion—which they had not, for his opinion against this Bill was as strong now as it ever had been when the signs were the contrary way—if, he repeated, the signs of the times were to guide his opinion, he could no longer be called either factious, or uncivil, or refractory. But as he had not truckled to the signs of the times when he found them opposite to his views, he saw no reason why he should not support them when he found the signs of the times going along with him.

Mr. *Burge* said, he felt grateful to the hon. member for Middlesex for having awakened attention to so important a subject as the state of the colonial Representation, or rather non-representation, as it was to be under the new Bill; and his gratitude was not to be lessened by the circumstance of the observations having come from that quarter whence he had least reason to expect them. It was now made manifest, that, in future, the interests of the colonists would not find Representatives in Parliament, and he begged the House to consider whether such interests ought to be thus deserted. In the principles laid down by the hon. member for Middlesex he coincided, but would not pledge himself to support the details of the proposed measure. On one point, he thought there could be no doubt, namely, the absolute necessity of having the colonies represented in Parliament; but that Representation should, as was stated, be left to the consideration of external legislation, and the internal legislation of the colonies would always be best managed by being left to their own local governments. This was a point on which he wished to be distinctly understood. It was this external legislation which added, and in no small degree, to the Exchequer of England, and, to a great extent, regulated the trade and property of the colonies, and which never ought to be attempted, except in the presence of, and with the aid of, those who knew what was due to the interests of those places, and in supporting those, he would say, that the best interests of England would be best upheld. It had been said, that direct colonial Representation was impracticable, and ought not to be attempted, and Mr. Burke had been referred to in support of those opinions; but he begged to remind the House of the conduct of the Government at a period subsequent to that alluded to. In the year 1779, when Lord Carlisle and Mr. Eden, as Commissioners, had been sent out to North America, to negociate with those colonies, then in a state of revolt, one of the propositions made to them to return to an allegiance to Great Britain was, that they should be allowed to have Representatives in Parliament. This circumstance, when under consideration afterwards in the House of Commons, was not even censured, so that he might fairly infer, that the proposition was not considered improper even by Parliament. The proposition made by the Commissioners, and in a manner approved of by Parliament, was this—"To perpetuate our union, by a reciprocal deputation of an agent or agents from the different States, who shall have the privilege of a seat and a voice in the Parliament of Great Britain, or if sent from Britain, to have, in that case, a seat and a voice in the Assemblies of the different States to which they may be deputed respectively in order to attend to the several interests of those by whom they are deputed."* It could not, therefore, be now said, that to give the colonies Representatives in Parliament was a new proposition, or unfit to be entertained. Another objection was, that if the colonies were allowed Representatives, such Representatives would combine into a phalanx, and form a party that might be inconvenient, if not dangerous. But in answer to this, he asked, whether, in the whole history of the colonies, there was a single instance of a coalition between the Members who were known to represent their several and separate interests. On the contrary, it was to him a matter of regret that they had been uniformly divided, and to this, in a great degree, he attributed the neglect of colonial interests. He wished the House not to look at this as a colonial question; it was one deeply affecting the revenue, the commerce, and the manufactures of the British empire. The mere amount of revenue derived from the colonies, though that amounted to millions, was one of minor consequence compared to the benefits which England derived to her commerce, and more particularly to manufactures, from her colonial possessions. If these were abandoned or injured, what would become of the manufacturers of England? Would the foreigner replace the colonist in his tastes or demands for English goods? In short, it was to her colonial possessions that England owed the greater part of her wealth and splendor, aye, and of her greatness, and even her security. It was the colonists who spent their accumulated wealth in England, and to none had they ever yielded in loyalty and attachment to the Throne.

Sir *Charles Forbes* felt some consolation from observing that, though the colonial interests were thrown aside by the Bill, they were not neglected in other quarters; and although, on the present occasion, the subject of the Representation of our vast colonial possessions might not receive so much attention as it deserved, yet a time must come when it would be further debated, and better considered. No one could doubt, if the present absurd measure of Reform was carried, that our fellow-subjects in the East and West Indies would be cut off from all kind of Representation. If he could find any fault with the speech of the hon. member for Middlesex, it was its extreme moderation, for he had only asked to have four Members allowed for a population of 100,000,000 of fellow-subjects in India. Why, if the population principle was applied there, then would India have four times as many Members as England. He did not mention this circumstance as wishing to encourage any such notion, but to shew that the number asked by the hon. Member was as small as could be thought of, and, on leaving them without Representatives, he thought a great injustice had been done to a vast and important portion of British possessions.

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* **Hansard's Parl. Hist. vol. xx. p. 848.**

Sir *George Murray* said, that he felt extremely glad to find such attention had been paid by the House to the proposal of the hon. member for Middlesex, and also that the important observations with which the hon. Member had introduced his Motion, had received so full a consideration. It had certainly appeared to him, during the long Debates which had taken place on the Reform Bill, that the House had altogether forgotten, that the British empire did not entirely consist of the immediate islands of Great Britain and Ireland, but that it partly consisted of some highly important and valuable foreign possessions in the East and West Indies, and other parts of the globe. Of the importance of these possessions, he was always, however, fully impressed; and he must take leave to express the satisfaction with which he had heard the hon. member for Middlesex express his opinions, as he had feared, from the general tenor of that hon. Member's arguments in the House, that he did not entertain any high estimate of the value of the colonies. It had been clearly and incontrovertibly shown by that hon. Member, and by the hon. member for Launceston (Sir James Malcolm), that the virtual Representation at present enjoyed in that House, under the present mode of election, by the colonists, would be utterly and completely taken away from them by the measure now undergoing consideration. He could bear testimony to the advantages they derived from this species of Representation, because, while in office, he could not but observe the warm interest which certain Members took in colonial affairs, and he agreed with the opinions expressed, that when the Reform Bill had passed into a law, the House would be found to be composed entirely of Members who would be returned to support local interests alone, thus depriving the colonists entirely of that virtual Representation which had been found to be so beneficial to them. He rose, therefore, merely to express his conviction, that Ministers or the House would be under the necessity, either of adopting the plans of the hon. member for Middlesex, or some modification of them; or of taking the idea suggested by the hon. member for Taunton into their serious consideration, with a view to remedy the great and important evil which would result to the colonists. The noble Lord, the Chancellor of the Exchequer, opposite, on various occasions, when hon. Members, who were otherwise friendly to the Bill, had got up to make any amendment, or to suggest any improvement in its details, had observed, that such a proceeding evinced a desire on their part to defeat the Bill. Now, he would not admit this to be the fact with respect to the proposal before the House, for, both the hon. members for Middlesex and Taunton were direct and warm supporters of the Bill, and not its enemies. It was surely the duty of Ministers, if the Bill must pass into a law, to endeavour to make it as beneficial as possible to the country; and he would venture to predict, that when all those places which were to be furnished with Representatives had received their allotted portion of influence in that House, it would be found that the Bill, so far from giving such Representatives to the colonies as their vast and complicated interests required, would actually deprive many of them, and those, too, some of our most important colonial interests, of the virtual Representation they now enjoyed.

Lord *Althorp* never attributed to the hon. member for Middlesex any device or intention to defeat the Reform Bill, but simply expressed his opinion, that by bringing forward his Motion on the present occasion, the delay thereby created was hostile to the progress of the Bill.

Mr. *Hume* said, in explanation, that he had expressed his great regret for disturbing the arrangement of the night when he had brought forward his Motion; but, at the same time, he had expressed his conviction that the condition to which the colonies would be reduced, had rendered the adoption of such a course imperative on him. He, therefore, claimed a right to have his own explanation taken as to his reasons for pressing his Motion, and not to have his conduct attributed to a hostile feeling to the Bill. He, for his part, was satisfied that his suggestion might either be adopted or modified by Ministers, so as to become of advantageous application to the mother country and her colonies, and so, also, as to improve the Reform Bill, and to render it more complete.

Amendment negatived without a division.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWENTY-FOURTH DAY.] The House went into the Committee.

The fourteenth Clause—"Be it enacted, that from and after the end of this present Parliament, the Isle of Wight, in the county of Southampton, shall, and for the purposes of this Act, be a county of itself, separate and apart from the county of Southampton, and shall return one Knight to serve in Parliament," was read.

Lord *Althorp* begged to propose to add the words "of the shire" to the words "one Knight," and to strike out the whole of the proviso attached to the Clause, thus making the Member for the Isle of Wight a county Member, and leaving the non-resident freeholders of Newport in the same situation in which other non-resident freeholders would be placed by the general clause, the eighteenth, of this Bill.

Mr. *Hughes Hughes* concurred with the noble Lord in the alteration proposed in the wording of this clause, but he proposed to move, as an Amendment, that the blank should be filled up with the word "two," giving two Representatives instead of one. He had given notice of this Amendment before. The inhabitants of the Isle of Wight had petitioned for a second Member, as they would be considerable losers by the operation of the Reform Bill as now framed. They would lose four borough Members, and their share in choosing a second county Member; for they had heretofore enjoyed a voice in the return of two Members, as part of the county of Southampton. They were, in fact, the only freeholders in England who would be partly disfranchised by the Bill. The clause presented a singular anomaly in it, for under the clause immediately preceding it, the Committee had given a third Member to seven counties without dividing them, and consequently given to the electors an additional vote. The population had, moreover, increased 4,000 since the returns of 1821, and now amounted to not less than 35,000 persons. He had reason to believe, that the county constituency of the Island, under the Bill, would exceed 2,000 freeholders, and he would confidently appeal to the hon. Members for the county of Southampton, whether a more enlightened or independent constituency than the freeholders of the Isle of Wight, could anywhere be found. The injustice done to the Isle of Wight by this clause would be apparent, when he remarked, that the county of Rutland, with a population of about 18,500 persons, was to return two Members; they had also given two Members to the parishes of Sunderland, Bishop Wearmouth, and Monk-Wearmouth, the total of whose present population did not much exceed 43,000. He must conclude by observing, that Newport, a borough in the Island, was to have two Members, and in common fairness, the agriculturists were entitled to at least as many.

Mr. *Hudson Gurney* had also a petition from the Isle of Wight to present for additional Members. In his opinion, the Isle of Wight was better entitled to an additional Member than many places to which that privilege had been granted.

Lord *Althorp* thought the parties concerned had no reason to complain, and could not admit, that they would be worse off, in consequence of the operation of this Bill, than they had been hitherto. On the contrary, in his opinion, the constituency, which he knew to be highly respectable, must be considerable gainers, for they would henceforth return one Member exclusively for themselves, whereas at present they had merely a voice in returning two for the county of Southampton, including the Island itself. Considering the space and the population, he thought that the Island would be adequately represented by one Member.

Sir *George Clerk* could by no means agree to the Amendment of the hon. member for Oxford. On the contrary, he did not understand why the Isle of Wight, which was an integral part of the county of Hants, was to have a separate Member at all. The proposal appeared to him nothing more than giving a fifth Member to that county. Other counties exceeded it in population and wealth, and he called upon the noble Lord to explain upon what principle this favour was shewn. If they took the county of Lincoln for instance, it was divided into three different parts known by as many names. Devonshire again was much larger and more wealthy than Hampshire, and even the great county of York itself was to have but six Members, and no other county, although several contained nearly double the population of Hampshire, was to have more than four, while it was, in effect, to have five. The reason assigned for this partiality was, that two of the boroughs in the Isle of Wight were to be disfranchised; but the same thing had been done in other counties. If they took the total number of Members returned for that county the anomaly would be more glaring. Hampshire, in all, was to have eighteen Representatives, while Suffolk would retain but nine. The Isle of Wight, would in all probability, be a nomination county, for if he were correctly informed, one influence was almost predominant there. It was wonderful that the noble Lord should have overlooked the claims of the Isle of Man, which had a population of 40,000, and give a Member to the Isle of Wight, with a less number of people. If their object was to increase the Representatives for places on the principle of population, he should wish them to explain the causes of this preference.

Mr. *Bonham Carter* said, the Isle of Wight had always been considered a distinct and separate district, in the Statute-book, from the county of Southampton, and provisions had been made therein to have the place of polling removed nearer to the Island. This circumstance also would afford some reason for the separation which was justified on other accounts. He could assure hon. Members who represented the agricultural interests, no place was more likely to return respectable Members of that class than the Isle of Wight.

An *Hon. Member* said, the argument of the hon. Member who had just spoken, only proved the necessity of having separate places for the freeholders of the Island to poll, not to give them an additional and separate Member. It appeared that by this Bill some places were to be more favourably dealt with than others. Most of the English counties were to have additional Representatives, and even that privilege was extended to some of the Welsh counties, but the Scotch counties, with an immense population, were to see the number of their representatives reduced on the whole. On these grounds he most decidedly opposed the Amendment.

Lord *Milton* said, he was anxious to call the attention of the House to the argument of the hon. Baronet (Sir George Clerk), who had considered the Isle of Man as well entitled to Representatives as the Isle of Wight. There was, however, this essential difference between the two Islands—this House taxed the latter, but not the former, and that was a good ground for treating differently their claims for Representation. He should vote in favour of the Amendment, not that he thought the Isle of Wight should have an additional Representative on its own account, or for its own benefit alone, but for the benefit of the community at large. He thought the remark of the hon. member for Portsmouth (Mr. Bonham Carter), was a sufficient reason for considering it a separate district.

Sir *George Warrender* should be happy to concur in any proposition for giving two Members to each of the large counties of Scotland, but he was surprised how any Gentleman could vote for such a motion who had supported General Gascoyne's motion last Parliament, which would have deprived Scotland of any additional Representatives.

Mr. *Robert Dundas* deprecated any allusions to the former Parliament, and stated, that though he had voted for General Gascoyne's motion, he thought the Legislature might give additional Representatives to Scotland without diminishing the number for England.

Lord *Althorp* said, in reply to the right hon. Baronet (Sir George Clerk), who had inquired why the Isle of Wight was to have a separate Member, he must beg to inform him, the grounds were in a great degree geographical; it was totally separated from Hampshire, and they took that county by itself, and found that, independent of the Island, it had so large a population as to entitle it to additional Representatives, by the same principle on which additional Members had been given to other counties. Another objection had been taken, that the Island would become a nomination county. It was true there were two gentlemen who had each a very large property in the Island, but there were many other considerable proprietors who were fully equal to counteract their influence.

Mr. *Croker* considered this another of the anomalies which began to weary the House. The noble Lord had said, that, having divided the county of Southampton, by taking off the Isle of Wight, that county was still worthy of having four Members. Would the Committee believe there were fourteen counties, larger than Southampton—and possessing a much larger population—which had only four Members, and yet Southampton, with the Member for the Isle of Wight, would have five? Why did not the noble Lord turn his attention in the same manner to the county of Kent, and give the Isle of Thanet a Member, which was quite equal, in its population and wealth, to the Isle of Wight? If there was any consistency whatever in the rule laid down by the noble Lord, Kent ought to have at least ten Members. He had no desire to confine or limit the franchise, but he must say, the great counties of Kent, Somerset, and Lancaster, would be unfairly dealt with, if the noble Lord gave five Members to Southampton. It was said to be of very little consequence to the general Representation, whether a county had four or five Members. If additional Members were of no advantage to the places that were to have them, why was this partiality shown, but for some purposes which were not apparent?

Sir *George Clerk* begged to refer the noble Lord (Lord Milton) who had said the Isle of Man was not taxed by this House, to an Act passed in 1825, in which there was a schedule of duties on every article imported into the Isle of Man. Not only did the House therein assume this right of charging duties upon all importations, but the inhabitants depended on the Treasury for the exercise of some of their privileges. He considered the Isle of Wight the Gateshead of the county of Southampton, and he did not think it possible that any satisfactory reasons could be given for allotting it a distinct Representative.

Lord *Milton* was perfectly well aware of the Act quoted, but the island was not taxed by the House internally, although the House had interfered with the external duties, for the purposes of placing the trade of the island under proper regulations.

Sir *James Macdonald* defended the Bill, and contended, that the right hon. Gentleman (Mr. Croker) who had pointed out anomalies, was himself anomalous. The Ministers did not pretend to cure all anomalies, but to remedy some of the most glaring of those in existence. The argument of the right hon. Gentleman had previously been opposed to excess of Representation in manufacturing districts in the North; and when Representation was given to the Isle of Wight, standing in the South, with an agricultural population, the right hon. Gentleman still urged his objection, and said, the county of Southampton was much lower in the list of population than several counties which did not receive a fifth Member. When the Isle of Wight was separated from the county of Southampton, its population would still amount to 250,000, which was much larger than the two counties which immediately followed it, and were each to have four Members. He thought, therefore, that to give an additional Member to the Isle of Wight, was, upon every ground, a most proper distinction. The island, in many respects, had a separate jurisdiction, and was totally separated from the county, unlike the Isle of Thanet, which was only nominally separated from the county of Kent.

Mr. *Croker* said, the hon. Baronet had declared, that it never had been the intention of Ministers to cure anomalies; but was that any reason why they should have committed the most gross anomalies themselves? What he objected to was, a departure from the principle of the Bill, in giving five Members to a county, where there was no reason for so doing. He had put this forward as one of their anomalies, and contrary to their own principles. Had not the hon. Baronet heard him enumerate several counties with a much larger agricultural population than Southampton, which had not been so favourably dealt with, and which, as he had already said, and continued to say, had much greater claims to additional Representation, if the object of Ministers was, to increase the number of rural Representatives?

Sir *Robert Inglis* could not understand why the county of Southampton should have five Members, when the great county of York, with 1,500,000 inhabitants, was to have only six. He deprecated, too, the principle of dividing the Isle of Wight from Southampton, when it had the same jurisdiction, and was, in every respect, a part of the county. The whole plan was at variance with the principle of the Bill, and he had heard no reason from the noble Lord in support of it.

Mr. *Cresset Pelham* decidedly objected to give a Member to the Isle of Wight, while large counties were left comparatively unrepresented; and he especially objected against places being separated, which had been united for so many years. It would have the effect of destroying advantages, and severing well-understood interests. He feared, notwithstanding all that had been said, that the island would become a nomination county, for he remembered when the county of Southampton itself was subject to one predominant interest, the persons who swayed in it, being landed proprietors of the Isle of Wight.

Mr. *Poyntz* considered the Isle of Wight quite independent and indifferent about two Members. An influential Gentleman in that island had declared to him, that the inhabitants would be satisfied with one Member.

Mr. *James L. Knight* asked, who appointed the Sheriff of the Isle of Wight?

Lord *Althorp* said, the Governor of the island.

Mr. *James L. Knight*, asked, was he a Military Officer, under the influence of the Crown ? and did he appoint the Sheriff?

Lord *Althorp* observed, that the Governor was not a military officer.

Mr. *Hunt* said, it was well known the county of Southampton, through the means of the dock-yards, was a mere Government borough. He did not believe the Isle of Wight would be under the same influence, and he, therefore, gave his consent to its having one Member ; but he could not agree that it should have two Members, when Bolton was to have but one. He begged, however, to be allowed to say a very few words on the subject of the abuse of those Members who presumed to say, that the Bill was not all perfection. He, among others, had been denounced as an enemy of all Reform, because he merely ventured to hint that the Bill might be much improved, and that it would not give universal satisfaction. He was told, that the people demanded the whole Bill, and nothing else would they consent to have; and yet, at that very moment, some of those who were the loudest in shouting for the Bill, the whole Bill, and nothing but the Bill, were moving Amendments which were directed against the Bill. He repeated, that, according to the creed of the opposite party, all who did not take the Bill as it was presented to them by the noble Lord, were to be considered enemies of Reform, and yet had the member for Middlesex this evening moved an Amendment, and many other thick and thin supporters of the Bill were to follow with their Amendments. He had two of his own, of which he had given notice at the very earliest moment. He repeated, however, that according to the doctrine of the hon. Members opposite, all who attempted to amend the Bill were its enemies. He had one word to add on the subject of the newspapers. He must speak plainly, and call things by their names. He had not yet acquired the parliamentary tactics of adverting to the Press under the name of "the usual sources of information." He wished to direct their attention to the course pursued by the Press, and particularly by *The Times*. That Paper denounced every man who presumed to find fault with a single word of the Bill, as an enemy to his country. It had so denounced him. But he would ask them to look at *The Times* now. He would ask them to look at *The Times* of that morning, and see how it was laying it on Ministers about the division of the counties. He would ask them to see how *The Times* was calling on the country almost to rise in arms against one part of that Bill, the whole of which they had previously called on every man to accept without hesitation, under the pain of being considered an enemy of his country. *The Times* called on the counties to meet and petition for the purpose of putting a stop to that atrocious part of the measure, the division of counties. But he could tell *The Times*, the power of the Bill-men, as they were called by the hon. and learned Member (Sir Charles Wetherell), was gone by. The day for obeying their call for county meetings was gone. They had endeavoured to get up a Common Hall, but they failed; and he would tell them why: they could not get a Common Hall to suit their purpose; and if they were to attempt to get up county meetings, they would meet with the same disappointment. The day was gone by for that. *The Times*, however, held out threats to the Members of that House, and he, for one, was for bringing the writers of these attacks to the bar. In *The Times* of that day there was a general attack on the House, as well as on individuals, and he should like either to have some of the gentlemen who wrote these attacks, or the ladies, brought up to the bar to answer for them.

Mr. *D. W. Harvey* rose to order. He wished to ask if there was any question before the House connected with *The Times* newspaper, and if the hon. Member was in order in pursuing his present course of argument?

The *Chairman*, as he was thus called on to give his opinion, felt bound to say, that he did not think the hon. Member confined himself, as he ought to do, to the question before the Committee, and therefore, in his opinion, the hon. Member was out of order.

Mr. *Hunt* proceeded: If every Member, in the course of the debates, were forced to confine himself, as the Chairman said, to the question before the Committee, he knew not the man who would be in order. He was speaking of the newspapers at the time he was interrupted. The Press made it a practice at the present moment to abuse the House, and to misrepresent and vilify its Members. In one part of that day's *Times* they had alluded to the hon. member for Lincoln (Colonel Sibthorp) by name; and, what was the most extraordinary and most infamous part of the business, they had coupled the member for Lincoln and him together. They had made a gross attack on the member for Lincoln by name, and then they put him and that Member to run as a couple. He cared not what they said, but he would state it broadly and openly, that if the debates on the Bill had been carried on with closed doors, the country would have understood the Bill better than it now did, after the gross and scandalous misrepresentation of their proceedings which had appeared in the papers. The people would have read the Bill, and judged for themselves, without being prejudiced by the scandalous misrepresentations contained in the reports of the Press. He knew he should be libelled and calumniated for this, but he cared not for attacks of that kind. He was determined to do his duty, in spite of all the hostility with which he might be assailed. With respect to the motion before the Committee, an hon. Member had allowed that Hampshire was under Government influence in time of war, but it was said, in time of peace that influence was diminished; but he believed by this Bill it would be done away. The dock-yard men, however, would have no votes for the Isle of Wight, and therefore he should support the clause. The Isle of Wight was not properly represented, and he would readily vote for its having one Member.

Mr. *Lefevre*, in reply to the assertion of the member for Preston, that Hampshire would be a Government borough, said, that undoubtedly the Government, through the means of the dock-yards, had great influence in time of war, but it had little or none in time of peace, and through the operation of the Bill, would now lose it altogether at any time.

Colonel *Sibthorp* declared, that he was totally indifferent as to the treatment the Press gave him. He did not understand what reasons they had for accusing him and the hon. member for Preston with running in couples, unless it was, that he intended to vote against the amendment of the hon. member for Oxford, and he presumed, from what the hon. member for Preston had said, he proposed to do the same, but he did not give the Press credit for so much prescience as to enable its conductors to foresee this. The newspapers had given publication to the attack made upon him by a right hon. Baronet (Sir James Graham) the other night, when that Minister had thought proper to call him a "driver"—but they had not given a word—not touched upon an atom of the lashing which he had found it necessary to inflict upon the right hon. Baronet, and the rest of his Majesty's Ministers in reply. As for the imputation of having hunted in couples, he had only to say, that he was no greyhound, and it would not be easy to find him hunting in couples with his Majesty's Ministers. He agreed with the hon. member for Preston, that if the newspapers had given faithful reports of what had passed in that House, the impression upon the public mind would have been very different from what it was. But *The Times* might do its best. The editor might write to eternity without being able to prevent the inevitable re-action.

Mr. *Baring* said, the county of Southampton had certainly been greatly under the influence of Government, and this Bill would not remedy the evil if Portsmouth was thrown in, either on one side or the other. He wished to ascertain who was to be the returning officer for the island. If he was the Governor, that would be a violation of the principle of the Bill, which was said to go upon the overthrow of corrupt influence, but in this case they were to have the direct servant of Government as the returning officer.

Lord *Althorp* said, the Isle of Wight, with respect to a Sheriff, was in the same situation as the county of Westmorland. In one the Governor was Sheriff, and appointed his deputy, as a noble Lord did in Westmorland.

Mr. *Hughes Hughes* denied, that the Isle of Wight was likely to become either a nomination-borough, or under the influence of Government, as had been represented by the hon. member for Edinburgh, and other hon. Members. He begged to assure them, there was no paramount influence in the island, and that it would return most independent Representatives. One hon. Member had asserted, that the inhabitants were perfectly satisfied with the one Member allotted to them, but in opposition to that assertion he must ask the hon. Member, had he seen a petition presented to the House, signed by four Baronets, and many other respectable individuals for two Members?

Lord *Stormont* said, the present Governor held his place by patent. Upon his decease, how was the office to be filled up? And if the situation of Governor and Sheriff were to be kept distinct, how was the latter officer to be appointed?

Lord *Althorp* said, the Governor and Sheriff would in that event become distinct officers, and the Sheriff would be appointed in a similar manner to other Sheriffs.

Mr. *Gore Langton* said, he had been attacked by the member for Preston, with not being a sincere reformer; the best answer to that charge was the manner in which he had had the honour to be returned to Parliament by the freeholders of Somersetshire. But in avowing himself to be a determined and staunch adherent of Reform, he did not consider himself on that account one of those who were pledged to support Ministers in every vote he might give.

Mr. *Hunt* said, he did not allude to the hon. Member, whom he knew for twenty-five years to be a consistent and zealous reformer, and his constituents were also well aware of that fact, or they would not have so handsomely returned him to the most important Parliament which had ever existed.

Mr. *James L. Knight* said, he was not satisfied that the Governor of the Isle of Wight was a purely civil officer.

Lord *Althorp* said, neither the present Governor nor his predecessor had ever been a military man.

Lord *Stormont* rose to order. Some hon. Member on the opposite side interrupted the hon. and learned Gentleman by making a noise with a stick or key, or something of the kind. Were such proceedings to be tolerated in a company of Gentlemen? If they were continued, he should move an adjournment.

Mr. *James L. Knight* thought the Committee should have a copy of the patent laid on the Table, before it decided. The present Governor might be a civilian, but they had no security that the next might not be a military officer.

Mr. *Hughes Hughes* always understood the offices of Governor and Sheriff were distinct, and he believed a gentleman in Newport held the latter office. Although he retained his opinions, yet, as he observed the sense of the Committee was against him he would not trouble them to divide at that late hour.

Mr. *Trevor* wished to see the patent appointing the Governor before they proceeded further.

Lord *Althorp* said, when the present patent expired, the office would be without salary. The Governor's office was similar to that of Lord-lieutenant of the county.

Mr. *James L. Knight* said, the Lord-lieutenant of a county was a military officer, and he objected to proceeding further till they had the patent.

Mr. *Cresset Pelham* also considered it essential, from the vague answers of Ministers, that they should actually know who was to be the returning officer under the Bill.

Amendment negatived, and clause agreed to. House resumed—Committee to sit again on the following day.

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HOUSE OF COMMONS,

Wednesday, August 17, 1831.

MINUTES.] Bills brought in. By Mr. HODGES, to amend the Laws relating to Sewers.

New Members. Lord LOUGHBOROUGH and Mr. HENRY FITZROY, for Great Grimsby.

Returns ordered. On the Motion of Mr. BURGE, for Copies of all Orders sent to the Colonies for the Emancipation of the Crown Slaves; and of all correspondence connected with the measure, and as to the maintenance of such Slaves:—On the Motion of Mr. O'CONNELL, for Copies of the Indictments at the Wexford Assizes, against Captain Graham, and of all Informations connected with the same, and of all the Indictments found by the Grand Jury of Wexford for Manslaughter at Newtownbarry.

Petitions presented. By Mr. HEYWOOD, from Blackburn, against the Settlement of the Poor Bill. By Lord OXMANTOWN, from the Distillers of Maryborough, for an alteration of the Law relating to the Drawback on Malt used in Distilleries; from the Inhabitants of Kilmanaghan, for the introduction of Poor Laws into Ireland; from the Protestant and Catholic Inhabitants of Ballymacwilliam for an alteration of the Irish Tithe Laws. By Sir JOHN BOURKE, from the Protestant Freemen of Galway, for equalizing Civil Rights in that place. By Mr. O'CONNELL, from the Catholic Inhabitants of Rotoath and Duagh, any further Grant to the Kildare Street Society; from the Catholic Inhabitants of Rotoath, for the Repeal of Easement of Burial Act, from the Nailers of Dublin; and the Inhabitants of Grange Gormon, for the Repeal of the Union; and from the Operatives of the Town of Galway, against the projected introduction into the Irish Reform Bill of a Clause tending to deprive them of their Freedom. By Mr. R. A. DUNDAS, from the Corn Merchants and Factors of Leith; and by Admiral ADAM, from the Owners and Occupiers of Land in the county of Kinross, against the use of Molasses in Distilleries or Breweries. By Mr. HUNT, from the Inhabitant Householders of Ovenden, Halifax, in favour of Annual Parliaments, Election by Ballot, and Universal Suffrage. By Sir JOHN BURKE, from the Magistrates, Clergy, and Landholders of the Ballynahinch for the reduction of the duty on Glass.

DISTRESS AND PUBLIC WORKS (IRELAND).] Sir *John Bourke* presented a Petition from Ballynahinch, in the county of Galway, praying for assistance in the promotion of Public Works in Ireland. The petitioners complained of the reduction of the duty on barilla, which had caused an annual loss of 119,000*l.* during the last four years, and which had thrown thousands out of employment in the most distressed districts in the west of Ireland. It would be easy to make a canal from Galway Bay to the interior to make, which with several roads that were much wanted, would furnish employment to people who had been brought to the verge of starvation by the duty on foreign barilla being taken off. That had destroyed their kelp manufacture, which was their only source of employment and income. If facilities were afforded to the people of Ireland, as they had been to those of Scotland, the greatest possible good would result. The Commissioners for Public Works had recommended the expenditure of certain sums for the improvement of the Highland districts, on condition that an equal sum should be furnished by the surrounding districts. This had been done, and the condition of the people had by this expenditure, been most materially improved. He was satisfied the same means would be attended with the like beneficial results in Ireland, he therefore hoped his suggestion would be taken into consideration, which would render the plan of emigration no longer necessary.

Petition to be printed.

THE SALE OF BEER ACT.] Mr. *Wilks* presented a Petition from 1100 persons, inhabitants of Boston, praying the House not to consent to any alteration in the late Beer Act. The petitioners' opinions were entitled to consideration for they were of that class of persons most affected by the measure, and they declared, that they had received great advantages from it. They considered the alteration which had been recommended in the Act would materially affect the interests of the lower orders. They stated, that much of the opposition to the measure was got up from interested motives, and by interested persons. This was the case at Boston, where the publicans had distributed beer gratis, when the Act came into operation, and the consequence was that disturbances ensued, which were taken advantage of to decry the Act. He saw no reason why beer-houses should be shut at an earlier period than public-houses, for the result would be, he feared that many persons would resort to gin shops. He would only add, that the prevention of monopoly in the beer-trade was highly desirable, and the more so as he traced much of the increase of crime to the consumption of ardent spirits.

Mr. *Trevor* considered that some alteration of the Beer Act would be necessary, even for the benefit of the humbler classes. He was convinced, that the great demoralization which at present prevailed among them could be traced to the effects of the Beer Act. He considered it desirable that beer should be cheap, and every inducement held out for the consumption of it, instead of alcohol, but he thought the beer-shops were not at present under sufficient control. The houses should be closed at an early hour, for their object should be, to induce the poor man to remain at home with his family, but this Act held out inducements for him to visit the houses where beer was sold. He wished only for their comfort, and in that view he thought that the consumption of beer upon the premises should be prevented.

Mr. *Hunt* was of opinion, that the repeal of the salt-tax, and the present Beer Act were the only two great benefits which had in his recollection been conferred upon the people. To complete the good effects of the last, however, there should be no difference in the time of shutting the different houses. The beer-shops should be open as long as the public-houses. The alterations spoken of by the hon. Member would tend to nullify the whole measure.

An *Hon. Member* objected, from practical experience, to the operation of the Beer Act. He had witnessed the greatest evils growing out of its operation. Drunkenness and idleness had increased to an alarming extent, and many persons who were formerly industrious, and staid at home, had been induced by its advantages to prefer drinking and gambling to the care of their families and children.

Petition to lie on the Table.

Mr. *Wilks* moved, that the petition should be printed, and said, he would support the Beer Act, upon the ground of its tending to the morality and comfort of the poorer classes. Objections had been taken to the beer-houses being kept open after ten o'clock, from the idea that men were tempted by that to remain from their families; but the gin-shops were then open, and persons would resort to them. He had heard it said, that one house in London sold no less than 40,000 glasses of gin a day, and to prevent such a consumption, he considered the Beer Act should be continued. Were hon. Gentlemen who opposed it aware, that the consumption of spirituous liquors in Great Britain amounted annually to 20,000,000 gallons? Was it not better that a wholesome beverage, like beer, should be used in preference to this, which led to all sorts of crime and excess. Every man who wished to see the poorer people contented and happy, must be anxious to reduce the consumption of ardent spirits. He rejoiced to think that one effect of the bill had been to reduce this consumption.

Petition to be printed.

POOR LAWS (IRELAND).] Mr. *O'Connell* on presenting a petition from the householders of St. Michan's, Dublin, praying for the introduction of Poor-laws into Ireland, said, he was unwilling to consent to the absolute and positive necessity of complying with the prayer of the petition; but, he trusted Government would take the subject into its serious consideration, and endeavour to introduce some practical measure that might avoid the evils of the English system, and prevent that demoralization of the people, which was consequent upon its operation. Such laws had been in force here about 200 years, and various attempts had been made for their improvement, but hitherto without adequate success. He entertained serious objections to such laws, but he feared in the present condition of Ireland, they had no other resource than to adopt some measure of the sort.—Petition to be printed.

RECOVERY OF SMALL DEBTS.] Mr. *Lee Lee* presented a Petition from Ilminster, in Somersetshire, for a law enabling retail tradesmen to reap the benefits of their industry, by giving them the means to recover small debts without incurring the difficulty and waste of money to which they were now subject by the tedious and expensive process of a trial at the county court, at a distance, frequently, of thirty or forty miles, at an expense of 10*l.* or 20*l.* to recover a debt of 50*s.* He said, that as credit was necessary to retail trade, it was most unjust there should not be the means of compelling payment of small debts in the country, whilst in large cities such was the case, but the system in them of a small-debt court had worked so well, that on the average of years 20,000*l.* were recovered by it at Bath, and twice that sum was paid through fear of that tribunal. If it were inconvenient or impracticable to establish such courts in small towns, it might be expedient to invest Magistrates with a similar power to adjudicate as to small debts at special Petty Sessions, subject to an appeal to the general Quarter Sessions. Such a power given to Magistrates would not exceed any they now possessed, as in issuing process for non-payment of tithes, or for disputed wages between master and servant, and would be an improvement on the present plan, if only as a temporary measure, till some more effectual one could be devised. The petitioners stated, that they lost more by small debts than the total amount they annually paid to Government in taxation. The hon. member, therefore, hoped some remedy would be applied to this evil.

Petition to be printed.

EXPECTED RIOT AT GLASGOW.] Sir *W. Rae* asked the Lord Advocate whether he had received information that the people of Glasgow intended on the day fixed for the coronation to make a display of physical strength with the view of awing the House of Peers and inducing them to pass the Reform Bill?

The *Lord Advocate* said, he understood that a procession was to take place in Glasgow, but not for the purpose stated by the hon. and learned Member. The local authorities would take measures to prevent any disturbance.

Mr. *Hume* said, that there was no cause for alarm in the present case. He was sure the people would commit no illegal acts, and that they had no idea of intimidating the Legislature. He hoped Ministers would not attempt to interfere to prevent a display of public feeling on a subject of such general interest as the Reform Bill.

GREAT GRIMSBY ELECTION.] Sir *George Clerk* said, that since he addressed the House yesterday, on the subject of the delay which had occurred in the return of the writ for the election of Members to serve for Great Grimsby, he had received a letter from the Sheriff of Lincoln, which completely exculpated him from all blame in the transaction, and showed that the delay, rested with the town-clerk of the borough. Under the circumstances, he felt it necessary to move, that so much of the order of the House should be discharged as required the attendance of the Sheriff of Lincolnshire at the Bar of the House.—Motion agreed to.

BELGIC NEGOTIATIONS.] On the Motion that the House resolve itself into a Committee of the whole House on the Reform of Parliament (England) Bill,

The Marquis of *Chandos* rose to ask if the Government had in their possession a copy of a letter addressed by the king of Belgium to the king of the French, requiring assistance in consequence of the Dutch having violated the armistice; and if Government had a copy of this letter, he desired to know whether there would be any objection to lay it before the House? If this, however, were objected to, he begged to ask for a copy of the letter addressed to the English Government by the king of Belgium, upon the same occasion.

Lord *Althorp* could not lay a copy of the letter to the king of the French before the House, as it was a document in which officially this Government had no share. If the noble Marquis wished for a copy of the letter to the English Government, he should wish the noble Marquis to give notice of a motion for its production.

The Marquis of *Chandos* would make a motion to that effect on Saturday.

Lord *Stormont* expressed his regret at the necessary absence of the Secretary of State for Foreign Affairs, as he was desirous of asking him some questions. In his absence he would put them to the noble Lord, the Chancellor of the Exchequer. The noble Secretary for Foreign Affairs, on a former occasion, stated, that the French troops had marched into Belgium at the request of King Leopold, and that as soon as the Dutch had repassed the frontiers of Belgium, the French troops would withdraw. He now asked whether Government had received any communication that the French troops were about to withdraw, or intended to withdraw? And if they did intend to withdraw, he desired to know how soon? And if they did not intend to withdraw, he asked the noble Lord to state whether this Government would consider the French troops occupying the Belgian fortresses as the troops of the Conference or the troops of France alone?

Lord *Althorp* regretted, that he could not give a distinct answer to the several questions of the noble Lord. Considering the important consequences that might ensue, the most prudent course he could take was to decline answering any of the noble Lord's questions.

Lord *Stormont* said, perhaps the noble Lord would not decline stating whether the French troops intended to withdraw from Belgium?

Lord *Althorp* could not speak as to intentions.

Lord *Stormont* asked if the Government had received official information of the intentions of the French.

Lord *Althorp* declined to answer the question.

Lord *Stormont* said, this was perfectly satisfactory to him.

SLAVERY.] Mr. *Burge* wished to know whether the Government had taken pains to obtain full information on the subject before they sent out the order to emancipate the Crown Slaves; and whether they had adopted measures to provide for the future maintenance of those Slaves who were to be emancipated before these orders were despatched, or they might become chargeable to the several parishes in which they resided; and the Islands were already so much burthened, that any additions ought to have been avoided.

Lord *Howick* said, that before the orders were sent out to emancipate these slaves, the Government had sought the best information on the subject; and these orders were not sent out till that information was fully considered. Besides this, he could assure the hon. Gentleman, that all the necessary precautions had been taken by the Government to provide for these slaves. He could not let this opportunity pass without reading an extract from a letter written by the Governor of Antigua. That letter stated, that during the five months since the crown slaves had been set at liberty, there had been no complaint of their conduct, not a single charge had been brought against any one before a Magistrate, none had made application for relief on account of poverty, but they were all industriously occupied in providing for themselves. That was the report made by the Governor of Antigua concerning 371 slaves who were suddenly emancipated. There were now to be emancipated only thirty-six in number, and they were creoles, who were supported at an annual expense of 430*l.*, which would be saved. He asked the House whether there was any danger that these thirty-six creoles would create any embarrassment when the 371 negroes had occasioned none whatever? He wished to make some few observations with regard to the numbers and expenses of the creole slaves in the other Islands. In Jamaica there were 372 maintained at an annual expense of 1,700*l.*; in the Mauritius, there were 300 who cost about 4000*l.* per annum. Of course it was desirable this money should be saved, and he thought from what he had stated, he had shewn this could be done safely, and with a benefit to the parties themselves. They had received excellent accounts of the conduct of the crown slaves in the various colonies; some of them were good tradesmen, and could maintain themselves and families well, and most of them had received some education. From all these facts, he thought, Government had pursued a proper and prudent course.

Mr. *Burge* hoped, that the Government, before it adopted any decisive measures, would have some communications with those who possessed the best means of information on the subject, and those who had the deepest interest in the welfare of the colonies. Hitherto, the crown slaves when they had become old and infirm, had been maintained at the expense of the Government, but by emancipating them, they must be otherwise provided for. He had not understood, that any measure had been taken to provide a fund for their relief, and the expense of maintaining them would be thrown upon the colonies.

Lord *Howick* assured the hon. Member that there was no chance of these slaves becoming a burthen on the colonies, for there was a special provision made for their support, by the Collector of the Customs having been ordered to defray the expenses.

Mr. *Hume* said, that the noble Lord had made a statement, the substance of which he had himself placed before the House about ten years ago, when he had clearly shown, that the mismanagement of the crown estates cost the public 3,000*l.* or 4,000*l.* a year, and that those slaves, when emancipated, would provide for themselves. He was glad that the Government was at last convinced of this fact, and he hoped it would act upon the knowledge derived from its own servants. He offered the Ministers his best thanks for what they had done, and he hoped they would persevere in the same course they had now adopted, taking due precautions to observe how the general emancipation of the slaves in the crown colonies affected the other slave population of the islands.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — TWENTY-FIFTH DAY.] The Order of the Day read, and the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

Lord *Althorp*, in moving the fifteenth clause, said, that Ministers wished to take that opportunity of explaining their views as to voters in cities and counties. In considering this measure they had felt considerable difficulty with respect to the vote which should be given to freeholders whose freeholds were situated within the limits of cities or borough towns. In some of these the freeholders voted for the counties in which they were situated; in others, for the borough only; and in some places, both for the borough and county. It was reasonable and necessary, that they should have votes somewhere, and the question was, whether they should be allowed to vote for the city or the county. If they had decided in favour of allowing such individuals to vote for cities, then another question would arise—namely, whether that right should be exercised on the same principle as it was exercised in counties, without any reference to residence. If this were admitted, it would create a number of non-resident voters, contrary to the principle of the Bill, that principle being, to give the right of voting in boroughs only to individuals who were actually resident, while, on the other hand, the principle of voting for freehold property in counties, was against any restriction as to residence. The principle which had all along been maintained, and which Ministers wished to carry into effect, was, to grant the right of voting in boroughs to inhabitant householders paying a certain amount of rent; and they were also anxious to distinguish *bonâ fide* freeholders from those who were created for the purpose of assisting elections. Balancing the evils which appeared on both sides, and looking particularly to that which was connected with non-residentship, Ministers conceived that, on the whole, it would be better to give to freeholders possessing freeholds within the limits of boroughs or cities, the right of voting for counties, instead of running the risk of allowing non-residents to vote for boroughs. It was his intention, in order to prevent fictitious votes from being created hereafter, to propose (the rights at present possessed by individuals being preserved) that in future no annuitants should gain a vote for a less sum than 10*l.* a year. The system of thus creating votes had not, generally speaking, prevailed much in England, but in some places there was no doubt that fictitious votes were thus created. Within all boroughs the present right of voting would be continued; but he thought that, with respect to freeholders in such boroughs, the rule of residence ought to be enforced. Having said thus much, he would now propose the fifteenth clause.

It was read from the Chair as follows:—"And be it further enacted, that for the purpose of electing a Knight or Knights of the Shire to serve in any future Parliament, for the East Riding of the county of York, the North Riding of the county of York, and the several counties enumerated in the second column of the schedule H to the Act annexed, shall respectively include the several cities and towns, being counties of themselves, mentioned in conjunction therewith, and named in the first column of the said schedule H; and that, for the like purpose, the county of Glocester shall include that part of Bristol which is situate on the Gloucestershire side of the river Avon; and the county of Somerset shall include that part of Bristol which is situate on the Somersetshire side of the said river Avon."

Sir *Charles Wetherell* said, he had given every attention to the explanation of the noble Lord, but he had not obtained a clear idea of his intentions. Was he to understand that all 40*s.* freeholders whose right of voting was derived from property lying in places which were counties in themselves, were to have their votes conferred by the condition of residence?

Lord *Althorp* said, that he meant first to state, that he had proposed the clause merely as it stood, and secondly, in order to meet certain objections respecting it, it was his intention to propose separate and distinct clauses, applicable to counties at large, and to protect the rights of this particular class as the rights of freemen were protected. The condition of residence applied to boroughs only.

Colonel *Davies* rose to state the grounds of the amendments he meant to propose upon this part of his noble friend's arrangement, and the nature of those amendments. He rejoiced at the abolition of nominal freeholders, and he should endeavour to make the principle involved in that more complete. His object was, that all freeholders in cities and boroughs should have the right of voting in those places, and not for the counties. He had hitherto abstained from expressing his opinion upon any of the objectionable parts of the Bill, and from joining in those debates which had consumed so much of the time of the House. He had even given votes which he felt in his conscience were not in conformity with the principles advanced by his Majesty's Ministers, rather than appear to do any thing which could be considered hostile to the measure. But the time was now come when he felt it his duty to speak out, and as the friend of the principle of Reform, and of his Majesty's Government, he told them, that although the measure contained much that gave satisfaction to the country, yet it also contained that which was daily spreading discontent. So friendly was he to the measure, that he had hitherto, almost invariably, and most cautiously, abstained from taking any part in those protracted debates to which it had given rise; but if he could show, that in many points the Bill was inefficient as a remedial measure, and he could point out different provisions in it which conflicted with each other—if he could prove, that the machinery of the Bill was defective, and could not operate well—then he thought that his noble friend, if he would not agree to the amendments which he wished to propose, ought at least to adopt some amendments for the purpose of making the Bill effectual. He regretted that ministers had not, during the recess which was occasioned by the late dissolution of Parliament, applied themselves more anxiously to the improvement of the Bill, and endeavoured to remove from it those anomalies by which it was disfigured. He admitted, that there were many beneficial provisions in the Bill, but they were mixed up with so much "baser matter" as to be rendered comparatively useless. The object he contemplated in the proposition of which he had given notice was twofold; first, to exclude county freeholders from voting in boroughs and towns; and, on the other hand, to confine boroughs and towns to their own inhabitants, and not suffer them to overwhelm the counties, and return both their own Members and those for the county. By one of the provisions of the Bill, freemen were entitled to vote, provided they lived within seven miles of the place of election. It appeared to him, therefore, that the 10*l*. householders should also be restricted to the same distance. The twenty-fifth clause enacted that any borough entitled to send Members, must have 300 10*l*. houses, and where there were not that number, the Commissioners were empowered, or rather compelled—it was not left to their discretion—to take in additional parishes to an extent of seven miles round the place. They were not left at liberty to take in any part of the adjoining parishes which might supply the necessary number of voters, but they were compelled to take in the whole extent of seven miles round the borough. Now, he knew that there were many places which would not supply 300 10*l*. houses within the surrounding seven miles. He could quote twenty instances in which no constituency could be formed according to the present provisions of the Bill; but he would only detain the House by mentioning two. In the case of East Grinstead, the papers before the House gave a return of forty four 10*l*. houses, so that the Commissioners would have to go into the neighbouring parishes to seek the great mass of the constituency. But he would undertake to say, that they would not find 300 10*l*. houses within twenty miles of East Grinstead. Another case which he should name was that of Northallerton, where, to make up the required number, they must go sixteen miles. But even then, when they had found the houses, it by no means followed that they would obtain 300 voters. The Bill did not require, that there should be 300 persons, but houses, counting-houses, and warehouses, in conjunction with land, of the annual value of 10*l*. Now, many of these might be empty, and others inhabited by females; and as the list was to be taken of houses, counting-houses, and warehouses, separately, one of each might be in the possession of one person, and the number of voters would consequently be only one-third. If these difficulties were found in the English boroughs, what must be the case in Wales? In Anglesey there were only 210 10*l*. houses; in Cardigan, 260; and in Radnor, 127. To make up the necessary constituency they would be obliged to go to the utmost limits of the counties. What then became of his noble friend's doctrine of non-residence, or where were they to find voters for the respective counties so circumstanced? In Cornwall there were, he believed, eight boroughs left by the Bill, and to make constituencies in no less than six of these it would be necessary to take in the adjoining parishes, so that each of them would take from the county Representation a circle fourteen miles in diameter, the Commissioners being, as he had said, left without any discretion, and compelled to take in that extent. But in the case of their not being able to find 300 10*l*. houses within the circle of seven miles, what were they then to do? Were they to return, that the required number of voters could not be found, and then were such places to go unrepresented, or return a Member with less than the required number of constituents? So much for the smaller boroughs, but when they came to the larger, they would find their difficulties increased in another way, particularly when the borough constituencies were large, and the counties divided. What would be the effect of such a state of things in the county of Warwick, if Birmingham was included in one division of that county? Why, Birmingham had 2,000 freeholders of its own, and would therefore, of course, command the return of at least one county Member. In Leeds there were 1,700 freeholders, a number sufficient to command the return for one of the Ridings of Yorkshire. There were other parts of the Bill which it appeared to him impossible that the House should pass as they stood, and upon which he should certainly feel it his duty to move amendments. Even if the machinery of the Bill provided constituencies for the places to which it allotted Members, he still contended, that it would do so by the most inconvenient and objectionable means. The Bill as it stood said, that if there were not 10*l.* householders enough in the towns, they must be taken from the counties, and the deficiency in the counties so created must be made up from the freeholders in the towns. Thus, on the one hand, they would take the farmer to choose Representatives for a commercial or manufacturing population, and, on the other, they would send the weaver, or the gun-maker, or the sailor from Liverpool, who believed their interests to depend upon a repeal of the Corn-laws, to elect a Member for those who thought they could only be protected from ruin by further restrictions. He would confidently ask the House and the country, whether it would not be more rational, and more consistent with the fair Representation of all interests, to let the freeholders in towns vote for those towns, and leave the county Members to be elected by the country residents? These were the principal objections which he saw to the Bill; but there were many others of a minor importance, but which did not the less excite dissatisfaction and discontent. Amongst these were the inequalities with which the elective privilege would be distributed to some individuals, and taken away from others. He could assure the noble Lord, that if these inequalities were not removed the country would not be satisfied. Men who had long been in the honest exercise of that privilege saw it suddenly wrested from them, and given to their next neighbour, who had never before possessed it, and all this was caused by the operation of some capricious rule in which they could recognize neither utility nor necessity. A man, for example, might be living in a country town most respectably, and yet in a house of a less value than 10*l.* a-year, taken in conjunction with land worth 200*l.* or 300*l.* a-year. The Commissioners might refuse to annex the land to the house if they thought proper, and such a person would have no vote for the town; while, at the same time, if his land stood within the precincts of the borough, he would be deprived of that vote for the county which he before possessed. In this situation he might very probably cast his eyes round and see his own labourer, or persons in his employment, placed in the possession of that privilege which had been taken from him, because they lived in a house paying a few pounds more rent. Another case was to be found in the operation of the sixteenth clause. To enable a leaseholder to vote for the county, he must hold a lease for seven years, at a rent of 50*l.* a-year, while a 10*l.* tenant-at-will would have a vote for a borough; so that there might be a *bonâ fide* resident householder, a farmer who rented a farm, holding it at will, of the annual value of 500*l.*, but being outside the boundary prescribed by the Commissioners, such person could have no vote, while his neighbour, holding a house only of 10*l.* annual value, if it happened to be within the boundary, would have that privilege. Was it to be supposed that the people would be contented with the Bill when they saw it produce these effects? Was it necessary to the principle of Reform that men should be so deprived of their rights, or that these subjects of discontent and jealousy should be cast amongst them? What he meant to propose as a remedy for this was, to allow freeholders to vote for the boroughs where their property was situated, and to give, in small towns, 5*l.* householders, whether resident or not, the right of voting. It was well known, that such a qualification would bring as respectable and intelligent men into the constituency in those places as 20*l.* in large and populous towns. The non-resident freeholders would, undoubtedly, be few, from the fact of the greater portion of persons holding such freeholds, generally having business in the various places in which they were situated. In all probability, too, that would in most cases give a sufficient number of voters, without breaking in upon the counties to procure them. He also meant to propose, that in case the joint operation of the admission of 10*l.* householders, of freeholders, and of 5*l.* householders should not create a sufficient constituency in any borough, then the Commission should have the power to add what parts of parishes they might think proper within the surrounding seven miles, so as to touch upon the county constituency as tenderly as possible. These were improvements which he thought indispensable to the Bill to make it acceptable or beneficial to the country. It had been his most anxious wish to have given a silent vote in favour of all its clauses if he could have reconciled it to his conscience to do so. He was told by his friends not to offer amendments which would cause delay. It was said, "Oh, never mind amendments now; let them be made after." But he wished to ask whether they were so sure that they should have another opportunity of making them if the present opportunity were neglected? They must not forget, that the Bill would have to go through another House before it came back there. And there were rumours that in certain quarters the principle of the Bill was opposed, and that an opportunity would gladly be taken to get rid of it altogether. The question was, then, should they, by sending up a bad and imperfect measure, give the opponents of Reform an excuse for rejecting that question altogether? One of the great recommendations of the Bill had been, that it was to be a permanent and final settlement of the question. But if they were not to make it as complete as they could, by endeavouring to remedy its palpable defects, what would become of the recommendation derived from its presumed permanency? Let them remember, that they might not again have the same opportunity of rendering it perfect. If this Bill were found by the people not to work well, and he contended that as it now stood it could not work well—then it must be expected that the people would have different feelings on the question. They would believe that they had been betrayed by those in whom they confided, and, after sending different men to that House, would not be satisfied with the extent of change which they were now contented to receive. The hon. Member concluded by moving that clause fifteen be rejected.

Lord *Althorp* fully concurred with his hon. friend, that it was the duty of the House to send this Bill up to the other House of Parliament in as perfect and unobjectionable a shape as possible; and he agreed with him, therefore, in saying, that it was of the utmost importance that amendments proposed in the Bill should be fully discussed. It would be vain to say that Government had not heard, in the discussions which had hitherto taken place, much that was very important, and it would be in vain to deny, that they had profited by it. If, however, the objections of his hon. friend to the Bill were as strong and as numerous as he declared them to be, it was quite obvious, that the amendments suggested by him would not remove those objections. He would, however, proceed to notice some of the objections of his hon. friend. His hon. friend's first objection regarded the enactments of the Bill with respect to residence. His hon. friend complained that they were depriving some who now possessed votes, of their franchise, on account of non-residence, while, at the same time, they conferred votes on householders, without making residence a qualification. But the householder, the occupier of a house, must, under the very words of the Act, be resident. The occupier of a warehouse could not always be resident, but then he would never be very far distant; and the reason of this regulation was, that it had been found that, in large towns, persons of the greatest substance resided in villas, in the vicinity of the town. With regard to what his hon. friend had said of the distance they would have to go for a constituency, he was pretty well satisfied, from all the inquiries which had been made, that there would not be many instances in which it would be necessary to go so far as seven miles in order to get a full constituency. This, the House would see, was very different from the great distances from which the out-voting freemen were now brought. If his hon. friend thought, that the distance of seven miles was either too far, or not far enough, let his hon. friend bring forward his views on that subject, when the clause respecting non-resident freemen came under discussion. The Government had been convinced that there must be some limit prescribed, in order to guard against the evils which now resulted from the right of voting vested in non-resident freemen. His hon. friend had said, that, in many places, it would be difficult to get a constituency of 300. He thought his hon. friend was much mistaken upon this point; but, it must be recollected, that the Bill did not say, that there must necessarily be that constituency. The Bill only endeavoured to procure that constituency, where it did not at present exist. His hon. friend had remarked upon the great hardship a tenant-at-will, with 500*l.* a-year would sustain, if his property was just outside the line of a borough district, while a tenant within that line, with only a 10*l.* house, had a vote; but what was the case at present? Did not the man with a lease for ninety-nine years, close to a scot and lot borough, see his neighbour or workman vote for that borough, while he was excluded from it. Instead of creating hardships on those not included in borough districts, it conferred a benefit, by giving seven years leaseholders a vote for the county, which they did not possess at present. The great inconsistency, as his hon. friend called it, of the Bill, was, that by throwing the districts into the boroughs, and the borough freeholders into the counties, it swamped the boroughs in the districts, and the county freeholders in the borough freeholders. His hon. friend, however, had not attempted to shew how these consequences would result from the Bill, and he could not perceive how it could possibly produce any such effects. His hon. friend wished to get rid of this inconsistency, as he called it, by enacting that the freeholders in boroughs should vote at the election of Members for such boroughs, and not at the election of the Members for the county in which the borough was situated. There certainly might be cases where the voters in an adjacent district were more numerous than the voters in a borough, but the case could not be of frequent occurrence. In Birmingham, at present, a freeholder in the town had a vote for the county of Warwick, but after the Bill should have been passed, he would only have a vote for the newly-erected borough. He thought, however, that it would be most dangerous to admit the freeholders of small boroughs to vote at the election of the Members for the boroughs. By such an arrangement, they would enable any man who possessed large freehold property in a borough, to convert such borough into a nomination-borough. If, too, the constituency of some of the boroughs would be as small under the Bill as his hon. friend had wished to make out, then, if a man had freehold property in one of these boroughs to the amount only of 300*l.* a-year, and chose to grant 40*s.* leases for lives, which would be freeholds, he would obtain a command over 150 votes, which, according to his hon. friend, would be the majority in some of the boroughs. He thought the arrangements of the Bill much more desirable than the suggestions of his hon. friend.

Sir *Robert Peel* said, that the noble Lord, following the hon. and gallant Gentleman, had gone into questions not immediately before the Committee. He concurred generally in the doctrines laid down by the gallant Officer, for he believed it would tend to simplify the Bill, if a person's right of voting was restricted to the district in which he resided. The 15th clause, which included towns and cities that were counties of themselves within the adjoining counties, for the purpose of county elections, was the subject now before the House, and to that he proposed to confine himself. He must, however, in the first place, thank the noble Lord for his free, though somewhat tardy, acknowledgment, that the discussions which had been raised on the Opposition side of the House, had, instead of producing unnecessary and useless delay, furnished the Ministers with many important improvements in the Bill. This candid and honourable acknowledgment of the noble Lord, was his (Sir Robert Peel's) answer to Common-councilmen and Political Unions, who threatened them with the application of external force for the expediting their proceedings.

Lord *Althorp* said, across the Table, that he for one had never charged the other side of the House with interposing needless delay.

Sir *Robert Peel* was happy to hear the noble Lord again so candidly allow, that the object of those who had opposed the Reform Bill was, to make it as perfect as it could be rendered. The practical proof that the noble Lord was right, was furnished by the fact, that because the House had accidentally proceeded faster than usual with the Bill for one or two days, the Government found it necessary to postpone a most important clause, because it had not been amended in conformity with the suggestions of that (the Opposition) side of the House. He would, with the permission of the Committee, make some observations upon the clause now proposed for their adoption. There were, in all, nineteen corporate towns in England, and these, with the exception of the county of the city of Bristol—which was dealt with specially — were enumerated in schedule H, annexed to this Bill. He wished that every Gentleman would take the trouble to peruse a treatise, of singular ability and research, on the subject of towns and cities which are counties in themselves, written by Mr. Corbet. All the facts relating to the history of those towns, and all the constitutional learning bearing upon those facts, would be found stated, with great learning and clearness, in this treatise. In ten out of these nineteen corporate towns, the freeholders had no right to vote, either for the county of the town, or, if he might be allowed to use the expression, for the parent county. These ten corporate towns were Carmarthen, Chester, Coventry, Exeter, Gloucester, Kingston-upon-Hull, Lincoln, London, Newcastle-upon-Tyne, and Worcester. In four of them—namely, in Canterbury, Poole, Southampton, and the Ainsty of York—the freeholders had the right to vote for the parent county. In five of them—namely, Bristol, Haverford-west, Lichfield, Norwich, and Nottingham—the freeholders had a right to vote for the city, in conjunction with the burgesses. Now, although these anomalies existed at present in the rights of freeholders in these corporate towns, yet he did think, when they were overturning the ancient fabric of Representation, and constructing a new one, that it would have been much better, and much more in conformity with the general principles of the Constitution, to have given to the freeholders of such places the right of voting for the county of the city, rather than making them vote for the parent county. These places were, for municipal purposes, completely separated from the county surrounding them, and were, to all intents and purposes, counties of themselves. They, in general, had their own Sheriffs, to whom the writ was addressed. He did not, of course, object to the parties now having a right to vote retaining their right, but to the mode in which it was proposed to confer that right on them. The circumstances of the different corporate counties might vary; in some places their limits were confined to the place where the town stood; in others they extended to some distance beyond it, but the connexion of the freeholders was generally a town connexion. This was particularly the case in those five counties in which the freeholders had hitherto possessed the right of voting for the city or town. Why were such persons to be turned over to the parent county? In Staffordshire, for instance, the greater part of the *bonâ fide* freeholders of Lichfield would be transferred from that city, wherein they had at present votes, to the county constituency for that division of the county to which Lichfield would belong. A weaver of Nottingham, with a 40*s*. freehold, would have a vote, and it was admitted on all sides, that he ought not to be deprived of his right; but surely it would be a much more desirable arrangement, to allow him to exercise that right for the place where he resided, and in which all his interests and connexions were centered, than to transfer him to the parent county, with which he had nothing whatever to do. And to what class of freeholders would this change be most prejudicial? Why, to the very lowest—to that class which was least able to bear expense. A 40*s*. freeholder was to have no vote for the town in which his freehold was situate, but was to be put to the expense of travelling thirty or forty miles to give his vote, even though an election for his own town might be going on at his door. Such an arrangement was injurious to the small freeholder, and also to the character of the county affected. It would not be said, that these counties of cities and towns were not strictly counties; for so strongly had the House felt them to be so, that when Mr. Fleming was Sheriff of Hampshire, it held, that he was not disqualified to sit for Southampton, which was the county of a city. That in itself, perhaps, was sufficient proof that the corporate counties were, in the eye of the Constitution and the law, *bonâ fide* counties; and, in support of that position, he would quote the authority of Mr. Prynne, who stated, that the town and county of Bristol elected two Representatives, who were as well knights of the shire as burgesses of that city. Even at the early period when the charter was granted to Bristol, forming it into a county, this was felt to be the case. In that charter it was expressly provided, that the city of Bristol should not be burthened with the support of more than two Members of Parliament, and likewise, that these two Members should be considered as representing both the county of the city and the city. In those days the appetite for Representation was not quite so strong as at present; and the city of Bristol apprehended, that, on its being made the county of a city it might be called upon to return four Members—two for the city, and two on account of its new distinction. He apprehended, that the suggestion he was now making would be no infraction upon the principle of the Bill, and, on general principles, he was convinced that the arrangement he proposed would be a strong guard against those abuses which would result from this part of the Bill, as it now stood. He thought, that the freeholders of the county of a city should be allowed to vote at elections for the city, in conjunction with the householders, and the freemen who were allowed to vote under the Bill. He was sure that great abuses would result from the present arrangement, which sent the freeholder of a town to vote for the parent county instead of the town. If a man attached a piece of ground, ever so small, to his warehouse—a garden, for instance—he would thus acquire a right to vote for the county. This facility of creating a double right of voting was pregnant with abuse, and he had no doubt, that Birmingham and Coventry would find means to return the county Members, as well as the Members for the town. The noble Lord said, that he would prevent any such effect, by adopting the system in force with respect to freeholders in Ireland, and require a 10*l.* qualification. That was an important alteration in the Bill, and afforded another proof, if proof were wanting, of the utility of suggestions made, and discussions raised, by this side of the House. It should be recollected, that in the first instance the principle of the Bill, as stated by those who had brought it forward, was to confine the right of voting in towns to resident voters. In fact, non-resident voters were altogether excluded in the first draft of the Bill. An important alteration had, however, been subsequently made in this portion of the Bill—an alteration, of which he entirely approved, but which, at the same time, it could not be denied, was a complete departure from the original principle of the Bill: that alteration, consisted in making the possession of counting-houses and warehouses confer the right of voting in towns, and by means of such an alteration, the right of voting was given to 3,000 or 4,000 non-resident voters in Manchester alone. He thought that his Majesty's Ministers did wisely, in admitting such persons to the right of voting in towns; but when they did so, why would they not admit freeholders also? He was of opinion, that it would greatly simplify the Bill, if the general principle should be adopted, to confine the right of voting accruing from the possession of property, to the district in which that property was situated. Let the freeholder whose freehold is in Lichfield or in Newcastle, vote for the member for Lichfield or Newcastle, and not for the member for Staffordshire or Northumberland.

The *Attorney General* said, that the right hon. Baronet had taken another opportunity, to attack the general principles of the Bill, and at the same time to claim for its opponents the honour of amending its provisions. But it should be borne in mind, that this Motion was brought forward by a warm friend of the Bill, by one whose anxiety for its complete perfection led him, perhaps, to view too minutely its supposed defects. His hon. and gallant friend, not sufficiently considering that no human measure could be faultless, had brooded over the blunders he thought he detected, and strained his ingenuity to devise means for removing them, till both the extent of evil, and the virtue of the remedy, assumed a most exaggerated character. He would admit, that, generally speaking, the habit of severe scrutiny was one of the most useful qualifications for a Member of Parliament; yet he thought, that in the present instance it ought to be sparingly applied; and he hoped to convince his hon. and gallant friend, that his amendment could not produce any advantageous result. Before he should allude to the arguments, he could not avoid noticing a topic to which the right hon. Baronet had adverted, and which had been a subject of considerable triumph with the opponents of the Bill for some nights past. Because a clause had been postponed on a former evening, in consequence of the rapidity with which the Bill was going through the House, his Majesty's Ministers were reproached with delay; this admission of his was, to relieve their opponents from that charge. Now the fact was, that this amended clause was ready written and prepared some days previously, and it was only owing to the indisposition of the noble Lord who was to bring the clause forward, and whose papers, in consequence, were not in the House, that he (the Attorney General), somewhat surprised by the rapid rate at which they travelled through Wales, had been obliged to make that momentary apology for the postponement of the clause, of which so great a handle had since been made by hon. Gentlemen on the other side of the House. He hoped, after this explanation, to hear no more on that subject from the other opponents of the Bill; he was confident that he should not from the right hon. Baronet. The question on the present occasion was, whether the freeholders in corporate towns should have the right of voting in those towns, as the right hon. Baronet contended that they should; or should have the right of voting at the elections for the counties in which such towns were situate, as was provided by the Bill. In discussing it there could be no necessity for entering into the other objections which the ingenuity of Gentlemen opposite suggested. There were nineteen places which were counties in themselves, and in which this principle of Representation was called into action. In some of those counties and cities there was a rural population. Coventry and Lincoln, for instance, had four parishes purely agricultural, and he asked, whether it was not more proper that the freeholders in those agricultural parishes should vote for the county Member, rather than for the Representative of the town? The right hon. Baronet thought this portion of the population had more the character of town voters than of county voters; but on that point he was at issue with the right hon. Baronet. He would assert, that the agricultural population in the neighbourhood of those towns, though resident within the actual legal limits of the town, being employed in the culture of the fields, and bringing their produce weekly to the markets of the town, was much more in accordance with the interests of the population of the county at large, than with the interests of the freemen, tradesmen, and artisans of this city. This dissimilarity of character, and this absence of all sympathy and connection with the town voters, was a reason why this part of the population, at all events, should vote for the counties, and not for the towns. The natural arrangement, he contended, was, to keep one class for the town constituency, and the other for the county constituency. The Bill as it stood secured the Representation of property in the counties, and the Representation of persons in the towns. That was the object and the principle of the Bill, and it was upon such grounds that he would contend, that the agricultural population in the neighbourhood of corporate cities and boroughs ought to vote only at the election of Members for the county. The accidental circumstance that population happened to be within the jurisdiction of the city or borough, made no difference in the application of the principle. There was no doubt that several of those towns exercised completely the rights of counties in themselves, as regarded the election of Sheriffs and of other officers; but it should be borne in mind, that there were various Acts of Parliament which restricted their jurisdiction. The danger, he thought, of the freeholders abusing the right of the elective franchise in such cases, for instance, as Nottingham and Lichfield, was much lessened by sending them to the larger constituency in the county, instead of retaining them in the smaller constituency in the towns. If prescription and usage—of which so much was said—was to have any weight in this case, the freeholders in counties corporate did, in general, vote for the county at large under the existing law, and that, without complaint or suspicion. He had never heard, for instance, that the freeholders in Canterbury did not properly exercise the right of voting for the county of Kent, or those of Poole for the county of Dorset. He could state, from his own knowledge, that the multiplication of freeholds had taken place in the town of Nottingham: some of the neighbouring gentry being opposed to the town's-people, bought freeholds for their tenantry within the town, to overpower the town voters. The town's-people, to counteract their manœuvre, created freeholds. Such an evil was provided against by this clause, which took away the object for which such freeholds were at present created in towns If the objection of his hon. and gallant friend should appear to the House to be a valid one, and if his Motion should be assented to, its effect, in the case of Nottingham, would be, to disfranchise in part a great number of the householders there, not being 10*l.* householders, who otherwise, as freeholders, would have votes at the election for the county. He mentioned Nottingham, both because he was best acquainted with it, and because no other place was so much affected by the clause. But he had heard of no dissatisfaction from that quarter. The system of annuitants had been alluded to, and this abuse proved how much better it was, that the freeholders in counties corporate should vote for the county at large, where the constituency was necessarily large, than for the town, in which those annuitants might be able to overpower the rest of the constituency. Under this Bill, property would be represented in the counties, and persons in the towns. According to the alteration now proposed, however, if a man occupied, as a leaseholder, a 10*l.* house, the property of another, and had also a much larger freehold estate in the same town, his person would be represented, inasmuch as he might vote for the town Member; but his property would not be represented, as he would be deprived of the right of voting out of his freehold. In the town of Lichfield it had often been asserted, that there were 240 annuitants having the right to vote at elections, and exercising a considerable influence over the elections, but having no interest in common with the town. That a change in the existing system on this point was absolutely necessary—was quite inevitable—he thought could not be denied, and it appeared to him, that this was the best mode of effecting that change. He was ready to maintain, that the principle of the Bill was, to confer the right of voting on resident voters in towns, and that the giving that right to the proprietors of counting-houses and warehouses was no deviation from that principle. The owners of such property might, to be sure, live seven or eight miles from the town in which it was situated; but then they made their daily visits to the town, their capital was employed in it, its interests were of the greatest importance to them, and the mere circumstance of their not sleeping there did not bring them under the class of non-residents. When they spoke of residence as regarded voters, they did not mean that kind of residence which gave a right to a settlement, but that species of residence which consisted in daily communication, commerce, and occupation in the town in which the right of voting was to be exercised. Such a residence as that would not exist in the instance of the owners of freeholds, for they would probably only call occasionally for their rents, and they would be in no way identified with the trading and commercial interests of the town where they might have a vote. In conclusion he would say, that there was something in the way in which the Bill had been prepared, that ought to give it credit with the real friends of Reform. It had been prepared by those who, sincerely attached to the great principle, were anxious to build up as excellent a system of Representation as possible, who were anxious to take counsel from all who felt its importance, and had already adopted numerous suggestions from them. He appealed to every real reformer, whether it was not better to sacrifice his own doubts and scruples, however ingeniously they might be enforced, than to endanger the success of the measure, by giving a momentary triumph to the enemy, or even to retard its progress, by endless discussions on minor points. But if individual Members could not be persuaded to this course, he was convinced that the House would see that it was the best, and in every case of mere doubt, the principle of Reform itself ought to turn the scale in favour of his Majesty's Ministers.

Colonel *Sibthorp* rose to ask a question of the noble Lord, the Chancellor of the Exchequer. He wished to know how the measure would operate with respect to the county rates? The inhabitants of counties corporate were compelled to pay particular rates, distinct from the county rates, and were absolved from contributing to the county rates. Now, he wished to know, whether those who held freeholds in counties corporate would be obliged to pay the rates in those counties of cities, and also the general county rate? or would a man be entitled to vote for the county, and be exempt from contributing to the county rate? He also wished to ask what was meant by residence? He had a house in Lincoln; but if his duties in that House obliged him to reside nine or ten months of the year in London, he begged to ask, whether he should be disfranchised as a non-resident, or favoured as much as an owner of a country-house or warehouse, and permitted to vote? He really put those questions with a desire to obtain information, as the Bill had been so much altered, and had become so complicated, that he found a greater difficulty than ever in anatomising it, or knowing what it meant.

Mr. *Croker* wished to know, whether the Commissioners who would be appointed by the Bill would not have a power over these corporate boroughs and cities with regard to settling their limits. In Lichfield and Coventry, where there was a large rural population, he apprehended that those Commissioners would have the power of restricting the borough population within its natural limits. If that should be the case, the limits set up by them would throw the whole rural population into the county, and the whole of the arguments which had been this evening urged on this subject, would fall to the ground.

Lord *Althorp* said, that in his view of the case, these Commissioners would certainly have the power of deciding the extent of those corporate counties, as well as of other boroughs. As to the question which had been asked by the gallant member for Lincoln, he did not well understand to what that hon. Member alluded. This Bill was not to settle who were, or who were not to pay county rates. It said nothing about them. All that it did was, to settle the election of Members of Parliament, and it had nothing to do with rates.

Colonel *Sibthorp* wished to know what constituted residence according to this Bill?

Lord *Althorp* said, that the case which the hon. Member had given of himself, he (Lord Althorp) looked upon as a case of residence in Lincoln. The hon. Member, though he might be several months absent from Lincoln, kept a house and an establishment there. If he shut up his house, and removed his establishment, then he would become a non-resident in the sense of the Bill.

Mr. *John T. Hope* was surprised to find the hon. and learned Attorney General standing up as a champion for the preservation of ancient usages. He could see no reason why the regulations should be different in counties at large, and in counties of cities. The hon. and learned Gentleman alluded to the freeholders in counties of cities, who, he said, had no connection with the town; but surely, if they had no connection with the town, they had as little connection with the county. The learned Gentleman had also remarked, that it would be a case of great hardship in such 10*l.* householders as might be entitled to vote for the towns, to be excluded, because they were freeholders, from voting for the county. Now, he saw no hardship in preventing a certain description of persons from having votes for two places. The hon. and learned Gentleman (the Attorney General) summed up his argument by saying, that if any doubt was entertained, the principle of the measure ought to turn the balance, and that the House would do well to adhere to the Bill, as the Polar star and beacon that should guide its course. He must, however, confess, that he could see nothing so perfect, so unalterable, or so final, in the Bill, as should induce him to adopt it as the standard by which he should form his judgment on any of its provisions.

Sir *Edward Sugden* said, he thought it necessary to point out the extraordinary contradiction that appeared to exist between the fifteenth and eighteenth clauses of the Bill. By the provisions of the latter clause, those freeholders who had the right of voting for counties would lose that right, if a tenant occupying that freehold had the right of voting for any city or town.

Lord *Althorp* begged for a moment to interrupt the hon. and learned Gentleman. The hon. and learned Gentleman had called his attention before to the eighteenth clause, and he paid particular attention to his observations. He certainly thought it was an anomaly that a person should have a vote for the county merely by retaining a forty-shilling freehold in a town, which he did not himself occupy; whereas, if it was an occupancy of a larger amount, he would lose that right. This objection was of considerable weight, and had occupied much attention. One great object which they had originally in view, in arranging the Bill was, to diminish the influence of towns in county elections. With such views, the eighteenth clause was framed as it now stood. The hon. and learned Gentleman, however, had so fully satisfied them of its defects, that he meant to propose an alteration, the effect of which would be, that no person should be deprived of his vote for a county which he derived from property held in a town, unless he should thereby acquire a vote for such town. In the latter case, they thought such persons had no reason to complain, but they remained decidedly of opinion, that if a town freeholder did not acquire such right in the town, that then he should retain his right to vote for the county The proposed alteration in the clause would make it stand thus—that where a man had a freehold in a town, which, by occupying it himself, gave him a right of voting for the place in which it was situated, he should not have the right of also voting for the county, and, on the contrary, if a man possessed such freehold, which he let to another, he should not, because his tenant acquired a vote for the town, be thereby deprived of his right to vote for the county.

Sir *Edward Sugden* said, he felt much obliged to the noble Lord for the explanation he had given, and he felt great satisfaction at the attention he had shown to the objections he had previously thrown out on this clause, but he feared they were yet hardly understood. He had pointed out the inconsistency of giving votes to householders, when they took the same right away from men with fifty times their property, and he had instanced the Marine Parade at Brighton. Each occupier would possess the right of voting for the town, while the proprietor of the whole unless he chanced to occupy one of the houses himself, would have no right of voting either for the town or the county. He understood the noble Lord's principle to be distinctly this, that he would sacrifice the rights of the freeholders of the counties of cities, for the purpose of decreasing the influence of the landed proprietors at county elections. If after this the noble Lord turned round and said, he would throw into the county constituency all the small freeholders, who had no votes for towns, he departed from the principle he had before laid down, and totally defeated what he declared to be his own object. As the clause at present stood, it was wholly inconsistent with other parts of the Bill. If they attended to the first position, that it was necessary to preserve a considerable influence to the landed interests in the return of county Members, then the alteration now suggested would be the greatest innovation yet proposed. He would again take Brighton for an illustration. In that place there was much freehold property held by separate individuals; according to the proposed alterations each of these freeholders, not having a vote for the town, would be thrown into the county constituency, and must thereby necessarily decrease the influence which the noble Lord himself declared he desired the landed aristocracy to have. As he took it, the object of the noble Lord was, to diminish the force of the democratic principle in the measure. How was it possible upon this principle to defend the giving of a vote to the 40*s*. freeholders, and the taking it away from freeholders of 200*l*. a-year. Again, if they referred to Southwark for an illustration; the county of Surrey would become a mere appendage to the borough, if the freeholders of Southwark retained a vote for the county. The same might be said of every large town. The county constituency would in this way be completely cut up, and leave merely a name. This also was his objection to the division of counties, because it would throw too much influence into the great towns. He was one of the last men who would cut up the counties into small nomination districts; and he thought that part of the Bill most objectionable. He therefore entirely dissented from the proposed alterations. He did not mean to object to the right of voting being given to the freeholders, but he would confine that right to the borough. If the freeholders of towns were admitted to the county constituency, the land would be deprived of the share of the Representation it ought to possess. He had always said, and he still retained the same opinion, that the Bill was too hastily prepared; that a measure like this, which went to change the whole Constitution, required long and serious deliberation; and the necessity of this was fully proved by the changes it was found necessary to introduce in almost every part of the Bill. The noble Lord now declared, that a man should have the right of voting for a county without being resident within it, and having no greater connexion with it than a 40*s*. freehold. If that was to be the case, why should it be insisted on that the 10*l*. householder must be resident in the borough for which he was to vote? a non-resident householder was as likely to have as much sympathy with the place in which he held his house, as the non-resident 40*s*. freeholder. The fact was, that each of them would make use of their franchise to support their own interests, and he would assure the noble Lord, that if he thought he could find a sound and upright constituency among 10*l*. householders, he would find himself most lamentably mistaken. As regarded the alteration of the 18th clause, he was fully of opinion, that the freeholders ought to be enfranchised, but the right of voting should be confined to the district in which their freeholds were situated. He believed, therefore, that the 10*l.* constituency would be improved by the admixture of all the resident freeholders within the limits of the place, and he called upon the Committee to consider the circumstances he had brought under notice. For want of due consideration and preparation, Government went on jumping and skipping from one error to another, and endeavouring to correct in succeeding clauses the blunders that were made in preceding ones. It was vain to hope that this Bill would destroy the influence of towns in county elections. They on his side of the House were charged with unnecessarily impeding its progress. Now, were it not for them, it would have gone forth with all its imperfections on its head, and it was easy to see what the consequence to the country would have been. It was said, that the freeholders of counties of cities and towns were bad voters, being nominal freeholders; and was that a reason why these bad voters should be thrown upon the counties, which must have the effect of swamping small counties? He agreed, however, that it would not be right or proper to disfranchise them. Why not, therefore, let them vote where they were found? Why not let them vote with the 10*l.* householders in the towns, and introduce a clause to prevent any abuse from fraudulent freeholds. Upon this, as upon many other points of the English Bill, it was impossible to form a correct and satisfactory judgment, unless they had an opportunity of viewing it in connexion with the Irish and Scotch Bills. How could he know in what manner the changes made in this measure would bear upon the other measures for Ireland and Scotland? and if these changes of the constituency were admitted in one Bill, they could not be refused in the others. The hon. Baronet, the member for Waterford (Sir John Newport), in the debates on the Union, said, the Representation of Ireland was as popular as it could be, consistently with the safety of the country. He must look, therefore, at the probable effects of the three Bills taken together, and not solely at the operation of that now under consideration. They must be especially careful not to add to the evils of Ireland, by unnecessarily enlarging its constituency. His proposition was, that the freeholders of counties of cities and towns should vote for their cities and towns with the 10*l.* householders. His wish was, though a friend to this Bill, that the Representation, so far as it went, should be real and not nominal, and that the people should be adequately represented, but he was anxious at the same time, that the due influence of the aristocracy should be preserved, and this could not be the case if 300 or 400 small freeholders of towns were to be thrown in upon the county constituency. It appeared that the boundaries of counties of cities and towns were to be settled by Commissioners. If that were the case, there seemed to be little use in debating this part of the Bill now, for how was it possible to secure the right of voting in places the limits of which remained yet to be determined? He would recommend that the Commissioners should not have the power to make any alterations in the limits of those towns and boroughs which were already well known and fixed. It was quite clear, that the measure was a failure in the hands of Ministers, and all must necessarily fail who undertook to strike out at one heat a new Constitution for England, and totally to alter a system, which, with the lapse of ages, had been gradually adapting itself to the varying circumstances of the country.

Lord *Althorp* would not argue the present clause, for this reason, amongst others, that it would be better understood after it had been printed. Thus much, however, he would observe, that it gave no new right to the freeholders of towns, because they had already votes for the county and that, at all events, the landed interest would have no reason to complain, seeing that leaseholders, copyholders, and different tenants of land were invested with the right of voting; although on the whole, therefore, the influence given to towns was greater than before, yet much had been done for the landed proprietors, to balance this, by the admission of certain descriptions of tenantry to the privilege of voting. Neither would he then discuss the 18th clause, but would wait till it came before them. It was contended by the hon. and gallant Officer opposite, that the effect of the clause would be, to increase the influence of the landed aristocracy; but the force of his reasoning upon that subject would, he had no doubt, be justly appreciated by the House. The effect of the clause would be, to place the freeholders of boroughs, and of counties of cities upon the same footing. As to the powers given to Commissioners, he declared that he should be exceedingly sorry to give them any power not rendered necessary by the machinery of the Bill, and therefore he should not, and did not, support an arrangement for enabling Commissioners to alter existing boundaries. Where they had been accurately ascertained and defined, no change was meant to be introduced. Such was the plan proposed, and he had not yet heard any other mode suggested for the formation of new boroughs, or the definition of old. He wished to know where the power could be more advantageously placed? Something had been said of the irresponsibility of the Commissioners, and he did not deny that there might be some weight in the objection founded upon that circumstance. The clause stated, that the Report of the Commissioners should be laid upon the Table of the House, and he saw no impediments to its being declared that such reports should not be deemed valid until they had the sanction of Parliament. He admitted, that the subject was of importance, and therefore thought it desirable that the report of the Commissioners should not be considered valid, till it had been approved of by both Houses, and each House had voted an Address to the Crown, praying that it might be adopted.

Sir *Charles Wetherell* said, there was then another most important alteration now proposed by the noble Lord in the principle of this Bill, and an alteration which he had previously declared he could not concede. They were continually altering it. Every day produced a change in the measure. The noble Lord at first told them, that these Commissioners were to determine the limits and boundaries of places without any sanction from Parliament. Now, however, it appeared, that their Report must be first approved of by an Address to the Crown from that House. Why this at once changed one of the most important features of the Bill, and went far to overturn its principle. Gentlemen opposite seemed to feel no interest in these matters, and it was no wonder they should not, as their minds were made up, and they were prepared to vote for the appointment of Commissioners upon any terms. It was now, however, proposed entirely to alter a large and most important feature of this unchangeable Bill. His learned friend the Attorney General, charged them on his side of the House with a paucity of topics, and he would retort the observation by saying, that if there was a paucity of topics on one side, there was a remarkable penury of speakers on the other. Without any intimation before of his intention, the noble Lord now, by way of parenthesis, proposed to reverse the whole principle of the Bill. For his part he had decided objections to the provisions of the 15th clause, and he agreed with his hon. and learned friend, that it could not be properly understood without reference to other clauses. Only the other day the noble Lord (the Chancellor of the Exchequer) told them, he would give to the landed interest an equivalent compensation for the influence given to towns, first, by an increase of county Members, and secondly, by the division of counties. Now, if Commissioners were to have the power of transferring voters from towns who were rather more of a commercial and manufacturing class than agricultural, and of adding them to counties, it was in vain to be arguing now upon this principle laid down by the noble Lord. Would it be giving an equivalent compensation to the landed interest, to take a number of voters from the towns and throw them on counties? In Lichfield, for instance, there were 500 or 600 40*s.* freeholders annuitants, created for the purpose of making votes, and if these were all to be added to the county of Stafford, would not the principle of the noble Lord be completely upset? He must therefore enter his protest against this clause. His hon. and learned friend (the Attorney General) seemed to think it was the duty of reformers to see no faults in the Bill, or, if they saw any, to shut their eyes to them and hold their tongues. He censured the gallant Officer (Colonel Davies) for not being totally blind to its defects; and because he saw them, and pointed them out, and proposed a remedy, it seemed he was guilty of a crime which even holy water could not wash out. He could assure his hon. and learned friend, if the objections to this clause had not been pointed out by the gallant and hon. member for Worcester, they would not have passed unobserved. A more absurd hypothesis, or a grosser contradiction could not be proposed, than that of turning the small freeholders of cities and boroughs into the constituencies for counties: they were by this scheme taking away with one hand what they gave with another. Was the noble Lord aware, or did he or any of his Majesty's Ministers inquire, whether great advantages were not enjoyed by the freeholders of counties of cities and towns? Did he know that they were exempt from payment of county rates, and from serving on juries for counties? These privileges they enjoyed by a compact originally entered into, when they were separated from the counties, and formed into a separate jurisdiction, and he knew that they wished to remain as they were. The question he wished to have answered was this—were they to be disfranchised, as freeholders of the town or city, for all purposes as well as for that of voting for the place in which they resided? were they to continue exempt from county rates, from serving on juries; and were they to retain their separate jurisdiction? Did these questions ever occur to the lucubrations of the reformers? Upon every ground the change appeared to be uncalled for and injudicious. In many places it would injure, if not destroy, the power of the rural constituency. He had before instanced Stafford being deluged with 500 or 600 nominal 40*s.* freeholders from Lichfield alone, while large districts of that county were to be connected together in the form of boroughs. In the Potteries what must be the effect of these alterations, but that the landed aristocracy must be wholly overwhelmed? Again, part of Bristol was in Somersetshire, and another part in Gloucestershire; were the freeholders of Bristol to be let loose on these counties, and overrule the elections in both? He knew something of Bristol, and he believed the electors would much prefer being left as they were. If this was the bonus the noble Lord held out to the country gentlemen, he could tell him, that his bonus was an *ignis fatuus,* intended to impose upon their good nature, and set at nought their common sense. It was a positive mockery for the Government to tell Gentlemen it was protecting their interests, when it was throwing into the county constituency a class of miserable town voters, created for the purpose of voting in the towns where they resided, and who had no interest or feeling in common with the landed proprietors. He felt strongly upon this part of their arrangements, and decidedly protested against them.

Sir *Andrew Dalrymple* wished to say a word or two as to the effect this Bill would have in the county of Warwick. If the county was divided so as to leave Birmingham in one division, and Coventry in another, the consequence would be, that Birmingham would return two of the county Members, and Coventry the other two. There were more freeholders in Coventry than there were in Birmingham. The rural constituency would be completely disfranchised by its operation, therefore the boon of additional county Members, which had been held out to the landed interests, was in many instances a complete delusion. He was sure that the effect of the Bill would be to injure those interests. He was in Warwickshire during the last election, and he had his information from a gentleman thoroughly well acquainted with the county. He informed him that the Birmingham Union brought large bodies of voters to the election, and other voters to support them. It was a matter of considerable hardihood for a person opposed to them to present himself, and the result was, that they returned Members of their own way of thinking, having overawed by these means those who opposed them. He strongly suspected one of the effects of this Bill would be, that county elections would be placed under the nomination of Political Unions of the same description as Birmingham.

Lord *Althorp* was surprised at the inconsistency of the hon. Member who spoke last. The hon. Member said, that in point of fact the Birmingham Political Union did return the two Members which Warwickshire sent to that House, and yet taunted Ministers with their Bill as being likely to produce the effect already in existence. He was by no means however prepared to admit, that the freeholders of Birmingham, with all the influence of the Political Union added, would obtain the power which the hon. Baronet seemed to apprehend. The hon. and learned member for Boroughbridge, in his usual erratic manner, told them, that he cared not whether the electors belonged to the towns or to the counties. He believed the hon. and learned Gentleman; he believed that it was a matter of perfect indifference to him how the Bill or its clauses were worded, or in what form it passed into a law, though he would gladly get rid of it. Otherwise, he could not account for the taunts of the hon. Member which he aimed at Ministers, for having yielded to the suggestions of expediency, and consented to submit the report of the Commissioners on the divisions of counties, and on the boundaries of boroughs, to the ultimate decision of the House. He should have rather expected the commendation of the hon. Member, as the proposition had emanated from his side of the House, and had been adopted by Ministers for its intrinsic merits, regardless of all imputation on the score of change. But, after all, what did this great change amount to? Certainly it affected not the principle of the Bill, and was a mere question as to a point of its machinery. But thus it was, that the hon. and learned Gentleman magnified every mole-hill into a great mountain. Of this disposition to exaggerate they had a striking instance in the hon. and learned Gentleman's allusion to Staffordshire. The Bill, said he, will have the effect of pouring in 500, nay, 600 town freeholders from Lichfield alone, among the county electors. Now what was the fact? Simply, that there were but 240 such freeholders in the whole district, and out of those they would have to deduct those voters whose freeholds bestowed upon them a vote for the Representatives of the towns.

Mr. *Holdsworth* said that the Bill would bestow a preponderating influence upon the towns compared to the rural electors. Indeed, the last election showed, that such was too much the case, even under the present system. From returns which he had seen, he had reason to believe the town freeholders were, in almost every county, more numerous than the rural freeholders. Under such circumstances he would support any hon. Gentleman who would move that "the freeholders of counties of cities shall not be thrown into the county constituency."

Mr. *Kemp* would not deny the influence of the Birmingham Political Union in Warwickshire, or that a strong feeling existed in the late election of that county against anti-reform candidates, but would maintain, that that influence, and that feeling, were not carried to such an extent as to deprive anti-reformers of a fair hearing.

Mr. *Evelyn Denison* said, that if he were left to the necessity of either voting for this clause as it now stood, or for the amendment of the hon. and gallant Officer, he had no option but to vote for the amendment, and against the clause in its present form. For giving this opinion, as a county Representative, he felt called on to trouble the Committee with his reasons. He had no wish to advance the landed interests in undue proportion over those of trade and commerce, for which, as the late Representative for Liverpool, he of course had the highest respect, but he had a wish to preserve, which was deemed expedient to Reform, the just balance of power between the interest of the land and other interests; and to preserve that, it had been held necessary that the landed interest should be predominant in the return of county Members. The clause now before them was not of material importance, and therefore, whatever might be their decision respecting it, the Bill itself would not be materially affected. The only question was, whether town freeholders of a certain description should vote for the town where their freeholds were situated, or vote for the county. It had been said by his hon. and learned friend (the Attorney General), that the freeholders of the counties of cities did not in general belong so much to the towns as to the counties. His hon. and learned friend had also remarked, that many such persons were non-resident. He had referred to documents on the Table on hearing this assertion, and by these he found, that from 700 to 750 such persons were actually resident in one town. From this fact it must be evident such parties must be more materially interested in voting for the place of their residence, than for the county, with which they could have no connexion. His hon. and learned friend had also asserted, that such kind of votes in Nottingham were usually made to balance opposing interests. This statement was a further corroboration of his opinion, for those who had been accustomed to vote in a particular way, ought surely to be acquainted with the interests they voted for; but the actual and precise number of such manufactured voters was of not near so much importance as the consideration whether such persons would contribute to their own interests, and the advantage of the community, by having votes for the town and for the county. At present they were connected with the manufacturing interests, and perhaps bound to some particular parties. Now he would appeal to his hon. and learned friend, if he could see the bonds severed between himself and his constituents at Nottingham without regret? If these votes were taken from this connexion, and thrown into the mass of county electors, would it not do them an injury, by breaking up all their previous interests, and would the county voters receive no injury from the addition? This selection of voters also appeared somewhat invidious, if it was considered, that while the better description of voters in such towns, those who had the most knowledge, and enlarged views, such as bankers, and principal merchants and traders, who could exert a useful influence, were to be subtracted from the county electors, persons of small or nominal property were allowed to add their numbers to the county constituencies. If this clause could therefore be so adapted as to divide these respective interests in a proper manner, it would be much better to have some portion of the principal inhabitants and the chief intelligence of the towns, to mix with the county constituencies, than to have only persons of uncongenial habits and opinions added to the counties, whom no common bonds of interest connected with the rural voters. In some towns in which freeholders had no votes, the question might be open, whether, if they lived in rural districts, they might not be annexed to the county constituencies. But when they found, in other instances, that such persons had been accustomed to vote in the towns where they resided, it was not wise to alter this custom, and therefore a distinction should be made. To avoid one small anomaly they ought not to allow themselves to be drawn into sanctioning great and practical anomalies.

Colonel *Davies* said, before the House went to a division, he should take the liberty, as he saw Gentlemen present who were not in the House when he had brought forward his proposition, to apprize them, that the question was, whether clause 15th should stand as part of the Bill; he had moved, that it should be rejected, on the ground, that freeholders of cities and boroughs should vote for the towns within which their freeholds were situated, and not for the counties in which such towns were placed. He could not consent to allow them to vote for both city and county if he could avoid it. Should he not succeed, he should be compelled, when the 21st clause was proposed, to add thereto, that freeholders of cities and boroughs should have the right to vote for those places.

The Committee divided on the Question, "that the clause stand part of the Bill." Ayes 164; Noes 124—Majority 40.

List of the Ayes.

Acheson, Viscount
Althorp, Viscount
Astley, Sir J.
Atherley, A.
Bainbridge, E. T.
Baring, F. T.
Barnett, C. J.
Benett, J.
Bernal, R.
Blake, Sir F.
Blamire, W.
Blackney, W.
Blunt, Sir C.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Brayen, T.
Briscoe, J. I.
Brougham, J.
Bulwer, E. L.
Bulwer, H. L.
Buck, L.
Burke, Sir J.
Burton, H.
Callaghan, D.
Calvert, N.
Campbell, J.
Carter J. B.
Cavendish, C. C.
Cavendish, W.
Chapman, M. L.
Crampton, P. C.
Chichester, J. B. P.
Clive, E. B.
Creevey, T.
Currie, J.
Dawson, A.
Denman, Sir T.
Dixon, J.
Don, O'Connor
Dundas, Hon. J. C.
Easthope, J.
Ellice, E.
Ellis, W.
Etwall, R.
Evans, W. B.
Evans, W.
Ewart, W.
Ferguson, R. C.
Fitzroy, Lt.-Col. C. A.
Gisborne, T.
Godson, R.
Graham, Sir J. R. G.
Grant, Right Hon. R.
Grant, Right Hon. C.
Handley, W. F.
Harcourt, G. V.
Harvey, D. W.
Hawkins, J. H.
Heneage, G. F.
Heywood, B.
Hill, Lord G.
Hodges, T. L.
Hodgson, John
Horne, Sir W.
Host, Sir J.
Howard, R.
Howard, P. H.
Howard, H.
Howick, Viscount
Hughes, J.
Hughes, Col., W. L
Hunt, H.
Ingilby, Sir W
James, W.
Jeffrey, Rt. Hon. F.
Jephson, C. D. O.
Jerningham, Hn. H. V
Johnston, A.
Johnstone, J. J. H.
Kemp, T. R.
Killeen, Lord
King, E. B.
King, Hon. R.
Knight, H. G.
Knight, R.
Lamb, Hon. G.
Lambert, H.
Langston, J. H.
Lawley, F.
Leader, N. P.
Lefevre, C. S.
Lemon, Sir C.
Lennard, T. B.
Lester, B. L.
Littleton, E. J.
Lloyd, Sir E. P.
Lumley, J. S.
Lushington, Dr.
Maberly, Col. W. L.
Mackenzie, Sir J.
Mangles, J.
Marjoribanks, S.
Martin, John
Maule, Hon. W. R.
Milbank, M.
Milton, Lord
Morison, J.
Mostyn, E. M. L.
Mullins, F. W.
Musgrave, Sir R.
Norton, C. F.
Nugent, Lord
Offley, F. C.
O'Connell, D.
O'Grady, Hon. Col.
Ord, W.
Osborne, Lord F. G.
Paget, T.
Palmer, C. F.
Parnell, Sir H.
Pendarvis, E. W. W.
Penlease, J. S.
Penrhyn, E.
Petre, Hon. E.
Pepys, C. C.
Philips, G. R.

Polhill, Captain
Ponsonby, Hon. G.
Ponsonby, Hon. W.
Power, R.
Poyntz, W. S.
Protheroe, E.
Ramsbottom, J.
Rice, Hon. T. S.
Rickford, W.
Rooper, J. B.
Ross, H.
Ruthven, E. S.
Sanford, E. A.
Scott, Sir E. D.
Sebright, Sir J.
Stanley, E. J.
Stanley, Right Hon. E.
Stephenson, H. F.
Strickland, G.
Strutt, E.
Stuart, Lord P. J.
Stuart, Lord D. C.
Tennyson, Charles
Thicknesse, R.
Throckmorton, R. G.
Tomes, John
Torrens, Colonel
Tyrrell, Charles
Venables, Ald.
Vernon, Hon. G. J.
Vernon, G. H.
Villiers, T. H.
Waithman, Ald.
Walker, C. A.
Warburton, H.
Warre, J. A.
Watson, Hon. R.
Western, C. C.
Westenra, Hon. H.
Weyland, Major
Whitbread, W. H.
White, Colonel
Whitmore, W. W.
Wilbraham, G.
Wilde, T.
Wilks, J.
Williams, W. A.
Williams, Sir J. H.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Ald.
Wood, J.
Wood, C.
Wrightson, W. B.
Wrottesley, Sir J.
Wyse, T.

TELLER.

Macdonald, Sir J.

Paired off

Adam, Admiral C.
Anson, Sir G.
Anson, Hon. G.
Baillie, J. C.
Barham, John
Bayntun, Capt. S. A.
Belfast, Earl of
Belgrave, Earl of
Berkeley, Captain
Blount, E.
Brabazon, Viscount
Browne, D.
Buxton, Thomas F.
Calvert, C.
Campbell, W. F.
Chaytor, W. R. C.
Coke, T. W.
Creevey, T.
Duncombe, T. S.
Dundas, C.
Dundas, Hon. Thomas
Ebrington, Viscount
Fazakerley, J. N.
Fergusson, Sir R.
Foley, J. H. H.
Foster, J.
Fox, Lieut-Col.
Gillon, W. D.
Grattan, J.
Hume, J.
Johnson, J.
Kennedy, T. F.
Labouchere, H.
Lennox, Lord J. G.
Lennox, Lord A.
M'Namara, W.
Maberly, J.
Macauley, T. B.
Morpeth, Viscount
Newport, Sir J.
O'Neil, Hon. Gen.
Ossory, Earl of
Paget, Sir C.
Payne, Sir P.
Pelham Hon. C. A.
Portman, E. B.
Philipps, Sir R. B.
Price, Sir R.
Robarts, A. W.
Robinson, Sir G.
Robinson, G. R.
Russell, Lord
Sinclair, G.
Stewart, Sir M. S.
Skipwith, Sir G.
Smith, John A.
Smith, John
Spencer, Hon Capt.
Surrey, Earl of
Thompson, Ald.
Thompson, P. B.
Tufton, Hon. H.
White, S.

The Chairman read the first part of the 16th clause, to this effect; "And be it enacted, that from and after the end of this present Parliament, every male person of full age, and not subject to any legal incapacity, who shall be seized of and in any lands or tenements for life."

Mr. *Davies Gilbert* said, his great object was, that real voters only should be had, to the exclusion, if possible, of fictitious voters, which were manufactured to a considerable extent, to his knowledge, in Cornwall. It was only necessary for a landlord to grant a lease for lives, or to insert an annuity for life, generally that of an old man, into leases for a term of years, in order to make votes; for that qualified such annuitant to vote for the county. He, therefore, to avoid this abuse, desired to limit the right of voting to 40*s*. freeholds of inheritance; and those who held life estates should have the qualification raised to the amount of 10*l*. per annum, which would put them on the same footing as copyholders were to be placed by the Bill. It was obvious, that no gentleman would give away a fee simple to the annual amount of 40*s*., because the receiver would be immediately independent; but the case was different when a man had only a life interest of that small amount in the beneficial lease of a farm, for he was then completely under the influence of the landlord. He should therefore move, after the word "incapacity," there be inserted these words, "seized of an estate of inheritance of the yearly value of 40*s*. at the least, and every person seized of an estate for life, of the yearly value at the least of 10*l*."

The Chairman wished for the directions of the Committee how he should proceed. There were already three notices of amendments to be moved on this clause, and he was at a loss to know how to proceed in point of order.

Lord *Milton* fully appreciated the importance of the suggestion made by his hon. friend. It was undoubtedly of great weight, but this was not the proper time to enter into it. The proposition they were about to consider was, whether new rights should be added generally to the existing ancient rights, and not whether they should limit those already established.

Sir *Edward Sugden* suggested, that the proper time for discussing the hon. member for Bodmin's amendment, would be at the close of that on the clause itself.

Mr. *Davies Gilbert* acceded to the suggestion.

The Chairman having again read the first part of the clause,

Lord Althorp moved, as an amendment, that the word "have" should be inserted in the clause, instead of "be seized of and in any."

Sir *Edward Sugden* said, it had been repeatedly ruled in Courts, both of Law and Equity, that "seized" was the correct legal word; it had been so decided in the case of the Annuity Act.

The *Solicitor General* said, that the reason for proposing the word "have" instead of "be seized of," was, to make the Act uniform. In the old Statute of Edward the 6th, the word "having" was used. The question, however, was merely a technical one; and he supposed, that if the Committee preferred the word "seized," there could be no objection to it. The Committee was, of course, aware, that the law, as it at present stood, extended the right of voting to equitable rights equally with legal seizures. There was really no distinction in fact, between leaseholders for lives, and freeholders. In most cases, several lives must fall in before the end of the tenure; and with respect to leaseholders holding for a term of seven years, upon an annual rent of 50*l*., it was considered that such parties were of so respectable a description, and had such a permanent value in the land, that they might be intrusted with the elective franchise. The object of the clause was, whether such person was in actual possession of the land or not, provided he proved, that he had an interest in the lease, to give him a right to vote. But, if he had assigned away his interest, then he was also to lose his vote. With respect to Church leases, it was intended, that the right of voting should be vested in the lessee, to the exclusion of the freeholder or his assignee. When land was sub-demised to other persons for a term of sixty or seventy years, then such sub-lessee of the first lessee, if he was in possession and had a sufficient lease, ought to be considered as the person who had the right to vote for it. Consequently, there might be two votes given in right of the same property, provided the first leaseholder retained a sufficient interest in the land, but was not in possession, and his sub-lessee was. The clause, therefore, would not affect the existing right of any freeholders, or take away any man's right. It would place the copyholder entirely on the same footing as the freeholder, and, therefore, wherever the freeholder had a vote, the copyholder would have one, with this difference, that the property or beneficial interest of the former must be of the annual value of 10*l*., and that of the latter, 40*s*. To prevent any distinction relating to such persons, the 17th clause had been introduced.

Sir *Edward Sugden* objected to going then into any statement of the right of voting; and, therefore, thought the hon. and learned Gentleman's explanation of it ill-timed. The question before the Committee was, whether the words "be seized" should or should not stand part of the clause. The observations of his learned friend were undoubtedly important, and they would, no doubt, give rise to a debate. He proposed, however, to confine himself to the verbal arrangement of the clause. He thought the words, as they now stood, would better embrace both classes of voters than as it was proposed to amend it. By the observation of his learned friend, it appeared possible, that the same property might give four votes—the vote of the freeholder, the vote of the copyholder, the vote of the lessee for sixty years, and the vote of the sub-lessee. Thus they might cumulate four votes on the same property. The Committee would observe, that as the clause stood, a man who had only an interest for a few days in a leasehold about to expire, would be entitled to vote. It was, therefore, absurd to say, that a man in this situation had an interest of 50*l*. annual value. He thought, that the clause would not even answer the intention of his learned friend, and that it would not work well.

Sir *James Scarlett* inquired, whether a man who held a lease of the value of 10*l*. for sixty years, if he granted a sub-lease, reserving to himself, as landlord, one shilling a year, would that create two votes, one on the right of 10*l*. a year, and the other in right of the shilling.

The *Solicitor General:* No man could have a right to vote, unless he held a lease for seven years, of the annual value of 50*l*., or a lease of sixty years of the value of 10*l*., and was in possession; and, therefore, in the case put by the hon. and learned Gentleman, the person would not have a right to vote.

Sir *James Scarlett:* Suppose a man had a lease for seventy years, at 10*l*.

a-year, did that give him a right to vote?

The *Solicitor General:* It did.

Sir *James Scarlett:* Then this lessee for seventy years paid 10*l.* a year rack rent for ten years, and then sells his remaining lease for sixty years, perhaps to create a right of voting at the same rent of 10*l.* a year. Now, the 10*l.* a year being paid, the land being only worth that rent, the landlord gets his 10*l.* a year, and the lessee retains his vote.

Mr. *Cutlar Ferguson* was decidedly averse from the clause, because it would have the effect of giving lessees and landlords a power of creating votes *ad libitum;* and should a clause of the same tendency be introduced into the Scotch Reform Bill, should infinitely prefer abiding by the present system of Representation, pernicious as that system had been found in its operation. He did not object to giving votes to the tenancy, nor to the fair and natural influence of the landlord, but he objected to the clause, because it would give the landlord a power to create votes, and give those who held leases a similar power. The clause gave lessees a power to give votes to those who held under them, and he contended, that no person but the original lessee, if he retained possession, or the tenant in possession, ought to vote. The vote of the intermediate party should not be allowed. The clause would create a temptation to divide estates into 50*l.* leaseholds.

Sir *Charles Wetherell* said, the object of the noble Lord was, that the lessee should, under particular circumstances, be placed *passibus equis* with the freeholder, but in this clause the lessee went a step further than the freeholder. There could be but one vote out of the same freehold, but there might be two out of the leasehold. He did not object to the principle of the leaseholder voting in particular instances, and of certain value, but he did object to any person voting but the tenant in possession.

Mr. *O'Connell* did not object to derivative votes, provided the parties had profitable interests to the amount named in the Bill; but according to the terms of this clause, a man who had land for a term of 200 years, might create 140 votes out of it. Letting it out to one man for 199 years would create one vote; then that man underletting it for 198 years would be the second, and so on till it came down to sixty years; for each of the lessees or assignees to whom it was to be so leased or assigned would, according to the wording of this clause, be an assignee or lessee of the "original term." If this were not the meaning, it should be so stated in the clause itself. But the best cure for all these anomalies would be, to make the profitable interest in the land, and not rent, the criterion of the franchise. Let no man vote on any lease or assignment who had not an interest of 10*l.* a year profit on it.

Lord *Milton* objected to the clause, as introducing rights into voting for counties that had never existed before. It would give a right of voting to the man who held land on lease, for which he paid 50*l.* a year out of his capital, while it would not allow a man a vote who paid 500*l.* a year without a lease, and made a fortune by his bargain. He admitted, that copyholders were independent enough to be allowed to vote, though they might be dependent to a certain extent on their landlords. He did not object to copyholders, but he had a decided objection to giving the franchise to leaseholders, because he believed, that its tendency was oligarchical. It introduced a class of men who were more dependent on their landlords, and who were likely to overbalance the independent interest in counties. If this was intended as a sort of compensation to the landed interest for the loss of influence they were supposed to sustain by the slaughter of the small boroughs, then he must say it was quite at variance with the avowed principles of the Bill. This extension of the franchise to 10*l.* leaseholders, would have a material effect upon the division of landed property, injurious to agriculture, as that property would have a tendency to run into those divisions and tenures which gave the franchise under the Bill, rather than unto those masses which best promoted the interests of agriculture. He confessed, he dreaded the prospective effects of the clause, for he thought it had a great deal too much of a tendency towards oligarchy, and that it would ultimately produce the most injurious effects. His view of the principle of the Bill was this—that it was intended to give a vote to all classes, and to amalgamate all rights. He protested, therefore, against the arguments of which they had recently heard so much, for giving Representatives to particular classes. He wished that all classes, manufacturers and agriculturists, should meet together at the poll with the same union of object, and amalgamation of feelings and of principles, as that which prevailed among the Members of that House. With this opinion he could not look with indifference on anything which tended to divide the voters into classes; and he therefore objected to the part of the clause which gave so much power to those who were little above tenants at will. He would, therefore move, when the time came, that that part of the clause extending the franchise to leaseholders be annulled.

Mr. *Western* observed, that the objections of the noble Lord, if carried into full effect, would go to the disfranchisement of half the tenantry of England.

The *Attorney General* said, he thought the nature of the clause had been already fully explained; but lest any doubt should remain on the subject, he would take leave to state again shortly the four points of right which it embraced. The clause, in the first place, preserved the right of voting to freeholders; in the second place, it conferred the right on a certain description of copyholders; next, it placed long leaseholders in the same favourable situation as freeholders; and, lastly, it admitted to a participation in the same rights, a great body of yeomen. Now the only objection to the clause seemed to be, that there was too much contained in it, and he thought that if the part relating to the freeholders and the copyholders was separated from that which referred to the leaseholders, it would be more perfectly understood. With respect to the suggestion of his learned friend (Sir J. Scarlett), that the landlords and lessees would be able to create a number of fictitious votes, similar to those which now constitute the rights of freeholders in Scotland, he thought it not likely to prevail, because it would involve liability to the rent and covenants of the original lease. He did not know, however, in what manner it was to be avoided, or by what other process they could get at the person who did possess the profits of the land or tenements. There was no more anomaly in four persons having a right to vote for the same property, if they had a 10*l.* interest in it, than there would be in allowing twenty persons to vote out of the same property, with a 40*s.* interest each. As to profit, and not rent, being the criterion of the franchise, he contended, that the only certain criterion to go by was rent. It would be impossible to go over a tenant's accounts to see whether he had a profit of 10*l.* or not, but the rent was always certain, and it was fair to assume, that no man would take a lease of a property to lose by it; or, if he did lose, he was still the representative of property, for he must have capital to enable him to go on losing. If he had not that capital, he could not go on, and then, in all such cases the alleged anomaly would cure itself.—No mischief, in fact, could arise from the practice, even if it was attempted to any extent, which he thought it never would be. On the objections of the noble Lord (Milton), he could only observe, that the principle of the Bill was, the extension of the right of voting to the respectable and intelligent classes of society; and he believed there were few disposed to deny, that the yeomanry of England, in property, character, and intelligence, well deserved the power which was about to be bestowed on them, and that they would use it uninfluenced by any considerations, save their sense of what was due to the interests of their fellow countrymen. If there was any doubt about the meaning of the words as they stood, the introduction of a few more, such as "lessees or assignees of the original term," would set the matter right.

Sir *Robert Peel* thought the speech of the hon. and learned Gentleman, and the admissions which it contained, were calculated to prove beyond question, that the House had assented too hastily to the preceding clauses of the Bill. He should not, in the present instance, go through all his objections to the clause, as he considered one of them alone would be sufficient—namely, that relative to the grant of the franchise in counties to the leaseholders for terms not exceeding seven years. He would say, that persons holding land for such short terms, and attempting to improve such property, were, by their own attempt at improvement, bound to the land under any terms, and consequently, more at the control of their landlords than tenants at will were. The hon. and learned Gentleman admitted, that the clause was defective, and that it must be amended. It was now evident, that the subject was one of infinite importance, and he thought the objection of his learned friend, the member for Cockermouth, so conclusive, that it was impossible they could go further without the most mature deliberation. Was it not, then, most desirable, that in the present position of affairs, with their numbers thinned by the absence of those who were suffering under indisposition from long and protracted attendance to their duties, they should not persevere in attempting to pass the Bill at present, but at once adjourn for three months, in order to give time for the perfection of this Bill, by a better consideration of its details. He would put it, therefore, to the noble Lord (Althorp)—and he never was more serious in his life in making any proposition than at that moment—whether it would not be advisable that he should to-morrow propose an adjournment of three months, in order that the House and the Government might be better prepared by due deliberation to make this their new Constitution perfect. It was no impeachment of the judgment of the Government, that they were compelled to adopt such a course, and that they were not found to have proposed a measure of such importance, containing so many complicated details, and involving so many different interests, free from all defects. He trusted, therefore, that the noble Lord would at once make up his mind to relieve them from further attendance, and that, pressed as they were by so many other questions of foreign and domestic policy, the Ministers would not continue, night after night, urging forward a Bill, which, it now appeared, according to their own admission, was so defective, that it required many considerable amendments. He would not enter at length into an examination of the clause; but he might observe, that while the hon. and learned Gentleman (the Attorney General) seemed to be of opinion that no practice of creating fictitious votes would be resorted to, the Chancellor of the Exchequer, after describing the extent to which the multiplication of freeholds had been carried, was, along with the learned Gentleman, about to put it in the power of landlords to resort to similar abuses with reference to leaseholds. It would operate to increase all the abuses of electioneering influence, and tempt men to divide their property. If it were asked, how were they to do this? he (Sir Robert Peel) would say, their agents could do it. A landlord had merely to empower his agent to grant leases, or give the agent himself a lease, and the whole machinery was put in motion. He must object to the ambiguous manner in which the clause was worded, and to the bad effects which the clause, as it regarded seven years leaseholders, would have on the situation of the tenants at will in the midland counties. He concluded by repeating his hope, that the Government would at once put an end to these difficulties, by proposing a long adjournment, to give time for a better consideration of the various provisions of the Bill.

Lord *Althorp* said, he had heard the proposition of the right hon. Baronet, and he was sure the right hon. Baronet did not expect him to accede to it. With respect to the objections which had been urged by the hon. and learned member for Cockermouth (Sir James Scarlett), and he was ready to admit that the clause must be amended, he would again state the object of this clause; it appeared to him, that the occupiers of farms should have Representatives in this House, if such farmers had a lease of seven years. The Government thought, that the landed tenantry should have a right of voting for Members to this House, and that was the main object of the clause. Church leases and others gave beneficial interests to those who held them, and therefore it was considered necessary, that the occupying tenantry should have votes for the election of Members of Parliament. He would not enter into the legal argument, and was only anxious briefly to shew what was the object in bringing the clause before the notice of the House. He did not consider it would be necessary to adjourn this debate merely to suit the views of the right hon. Baronet (Sir Robert Peel).

Mr. Sergeant *Wilde* felt little gratitude to the right hon. Baronet for the offer made in all candour and kindness to the House, of getting rid of the Bill for three months, in order to strengthen the hands of the opponents of Reform. Indeed, he had witnessed a too great facility on the part of the Ministry and the noble Lord, to make concessions in this Bill when appealed to by its determined enemies. The first question was, whether the right of voting had been given where it ought not to have been given; and the second, whether, if it had been given where it ought to be given, it was liable to abuse. He maintained, that it had been properly given, and that it was by no means liable to the extent of abuse alleged by the opponents of the measure. The alteration which had been made of the word "seized" for the word "had," was an advantageous one; the latter being the word introduced into all previous election laws. The hon. and learned Gentleman entered into an examination of the section of the clause immediately under consideration, and denied that it was uncertain in its construction, or that it involved any ambiguity. He could not believe, that a case would frequently occur in which an individual would give up the possession of his property for a long term of years, in order to create additional rights of voting; and he denied the probability of underleasing for such purposes. The clause was regarded as a boon to the landed interest; but he must confess he was, on principle, not so friendly to the admission to the franchise of tenants for very short terms. Upon the whole, however, he approved of the clause, and maintained that it ought to stand part of the Bill.

Sir *James Scarlett* said, that upon the legal construction of the clause, he did not differ from his hon. and learned friend. But it so happened, that a landlord demising his term would always reserve a right to distrain for the rent to be paid to the landlord, as the case might be, whether it related to land, or ground for building houses. If this clause were divided into three parts, it would be much more convenient for discussion. He put it to his hon. and learned friends on the other side, and the noble Lord, whether it ought not to be so divided. He had some objection to the votes of copyholders under peculiar circumstances, because, in the cases of mines and timber, neither landlord nor tenant could act independently. The question, however, was one of importance. In the newly-proposed Constitution, this arrangement might be very useful, indeed it might be necessary, but the voters for seven years he considered to be dangerous to the interests of those for twenty-one years. He threw this out as a matter of consideration, whether this clause should not be made the subject of future consideration.

Mr. *Hunt* said, he had heard seven lawyers speak upon this subject, one of whom had been absent from the House, and now came in, like a giant refreshed, to tell them over again all that they had heard before. He had no doubt the effect of the clause would be, to create two or three fictitious votes on long leaseholds of the value of 10*l.* a year. He considered that a Yeoman, by which word he meant a freeholder, had his own property, be it ever so small, and was, therefore, independent; but a rack-renter of 50*l.* a year, was the most dependent man in the community. If this clause were to pass in its present state, it would give to 10*l.* a year for a term of sixty years, three votes at the rate of 4*s.* a-week, and what would the mechanics who earned 3*l.* a-week say to it? They gave the original freeholder one vote, the original lessee another, and the person in possession a third. They were told, night after night, that they were to have the whole Bill and nothing but the Bill, yet they had alterations made night after night, and he was happy to observe that the noble Lord (Althorp) shewed a disposition to listen to proper objections properly urged. At the same time, he was opposed to anything so ridiculous as the delaying the question for the next three months.

Mr. *O'Connell* objected to the clause as it stood at present, because it tended to create such votes as Scotch superiorities. He hoped that a franchise upon the principle of profitable interest would be adopted instead.

Lord *Althorp* said, the remarks of the hon. and learned Gentleman did not exactly apply to the question under the consideration of the Committee, which simply was, to substitute the word "have" for the word "seized." He did not anticipate much difference of opinion with respect to the question of giving the elective franchise in counties to copyholders, and he, therefore, proposed to go on with the clause to-night, until such part of it as related to copyholders should be disposed of, when they could proceed with the proposed amendments.

Sir *James Scarlett* felt several strong objections to giving votes to copyholders, as they must be under the influence of the Lord of the Manor.

Colonel *Sibthorp* was of opinion, as this was an important clause, and many Gentlemen would like to speak on it, that it ought not to be further proceeded with, and that the House ought now to adjourn.

Colonel *Wood* thought, that copyholders ought to be placed on the same footing as freeholders with respect to the right of voting; but as the subject could not then be done justice to, he hoped that the noble Lord would then proceed no further.

Mr. *C. W. Wynn* agreed with his hon. friend, and suggested, that copyholders of 40*s.* should possess the elective franchise. He did not see why copyholders and freeholders should not be placed on the same footing, though he did not wish to discuss the clause then.

The question was then put on the first part of the clause and agreed to, including the amendment of Lord Althorp, which made it as follows:—" And be it enacted, that from and after the end of this present Parliament, every male person of full age, and not subject to any legal incapacity, who shall have any lands or tenements for life."

The Chairman read that part of the clause which gives the right of voting to copyholders possessing property of the value of 10*l.* a-year.

Colonel *Wood* thought it was time for the House to adjourn. If the House proceeded with the consideration of this clause, he should move that copyholders possessing property of the value of 40*s.* a-year should be entitled to vote at county elections.

Lord *Althorp* was not favourable to the suggested amendment. He thought, that the number of *bonâ fide* copyholds of less value than 10*l.* was very small.

Colonel *Wood* thought that copyholders ought to be put on the same footing as freeholders for the purposes of this Bill. He wished to give every encouragement to the lower classes to aim at independence; and, in his opinion, no better mode could be adopted for producing that effect, than that of enabling them to exercise the elective franchise. It was a privilege calculated to stimulate their feelings of pride, and to make them anxious to avoid any application for parochial assistance; because, as Gentlemen well knew, the vote of him who received parochial assistance would not be received. The noble Lord might smile; but such he believed to be the fact, because he who received parochial assistance must have given up all his property, and could then have no right to vote. In the year 1785, Mr. Pitt wished to admit copyholders to the franchise; and he did not think, that at this time of day he could be censured for taking the same course. In doing this, his great object was, to raise the lowest class of society from the state of degradation in which they must see that too many of them were plunged, and to give to them that interest in the welfare of the State, which, at the present moment, they had too many reasons to believe did not exist. If his amendment (which was to substitute 40*s.* for 10*l.*) was rejected at one o'clock in the morning, when he had been forced to bring it forward—if the case of the 40*s.* copyholders was to be neglected, while that of the 50*l.* renters and sixty years' leaseholders had been discussed irregularly during the whole evening, he would only say, that in bringing the subject before the House, he had done what he conceived to be his duty, and those who were interested would form their own opinion of the manner in which their claim had been dealt with.

Lord *Althorp* opposed the amendment; but denied, that he or his colleagues wished unjustly to exclude 40*s.* voters. On the contrary, they were desirous of bringing the franchise as low as they could with propriety.

Colonel *Wood* said, he did not wish to divide the Committee on his amendment.

The amendment negatived, and this part of the clause, giving the right to vote to copyholders of 10*l.* value, agreed to.

The House resumed; the Committee to sit again the next day.

HOUSE OF LORDS,

Thursday, August 18, 1831.

MINUTES.] Bills. Read a second time; the Interpleader and Arbitration. Read a first time; to Consolidate the Tenancy of Lands (Ireland) Acts.

Petitions presented. By Earl GROSVENOR, from the Protestant Dissenters of Machynlleth for the Abolition of Slavery. By the Bishop of LONDON, from the Parish of St. Mary, Paddington, praying that a Clause might be introduced into the Retail Beer Amendment Bill, to prevent the Retail Beer Shops from keeping open on the Sabbath.

THE CORONATION.] Viscount *Strangford* hoped for the indulgence of the House in calling its attention again to the subject of the approaching ceremony of the Coronation. He wished to put another question to the noble Earl opposite relative to the mode in which it was proposed by his Majesty's Ministers that the ceremony should be conducted; and he believed that it would be no inconvenience to his Majesty's Ministers to answer that question, while it would certainly be a great convenience to many noble Lords that the question should be answered. The noble Earl had stated on a former occasion, that he had received no intimation of his Majesty's final determination on the subject. The question which he wished to ask was, whether any determination had been come to on the point to which he had formerly referred—namely, whether the peers were to be permitted to do homage each by himself, or only by a representative of each class? It was important to many noble Lords, that the determination in this respect, whatever it was, should be known, as their arrangements and preparations must be made accordingly. The noble Earl had taken credit to himself and the rest of his Majesty's Ministers for the economy with which the ceremony was to be conducted; but he saw no ground for their taking credit for economy as far as respected the plan of doing homage, since, although each peer should be allowed to do homage for himself, the expense would be borne by himself, and the arrangement would not cost the public one farthing, but would be of some benefit to the trading classes, who always looked to a coronation as a matter which would give a stimulus to the national industry. The economy, therefore, which the noble Earl looked to, was an economy for the rich, but not for the poor and the manufacturing classes. The plan of doing homage by delegates would be of advantage only to the Aristocracy, and not to the public; and the poor would be losers, and not gainers by it. There was another point, of still more importance, however, which had reference to the unseemly curtailments about which he had spoken the other night. He wished to ask the noble Earl, whether it was intended that the peeresses should join in the procession to the Abbey, and put it to the good taste of the noble Earl, whether that part of the ceremony ought not to be permitted to remain without curtailment. It was a laudable old English practice, and ought to be retained. The noble Earl had spoken of certain kinds of splendor not being conformable to the spirit of the age; but surely the noble Earl could not seriously maintain that it was not conformable to the spirit of the age to allow this gratification to the ladies. He threw out this hint for the consideration of the Cabinet select vestry.

Earl *Grey* observed, that there was no disposition in his Majesty or his Ministers to make any unseemly curtailments in the ceremony of the coronation, but he still thought it useless to have it conducted upon so large a scale as the former coronation. He wished to add, that he had received his Majesty's commands on the subject of the homage to be performed by the Peers, but that it was the King's desire that it should be performed as at the coronation of George 3rd.

The Marquis of *Londonderry* hoped that the procession of the peeresses would be preserved, as nothing could be more suitable to the occasion. He begged that noble Lords would bear in mind, when they heard of the expense of the last coronation, that there were various items, not connected with the splendor of the ceremony, which might have been well struck out. The splendor of the coronation, and all the advantages which it was expected to produce on the trade of the country, would have been as well accomplished without those circumstances to which he alluded as with them. On this occasion the sums of money to be spent would come from the aristocracy of the country, and they would find their way to the industrious classes of the community, who, he was sorry to hear, were already complaining of the niggardly manner in which the ceremony was to be conducted, and the consequent loss which they would thereby suffer. He, therefore thought, as the one point was settled in a manner which could not be satisfactory to the feelings of the greater part of their Lordships, that they should use their best exertions that the other, which was material to the splendor of the ceremony, should not be omitted. He hoped the noble Earl and his colleagues would reconsider this subject of the procession of the peeresses from Westminster-hall to the Abbey, and that in a few days they should hear that this was conceded.

BEER ACT AMENDMENT BILL.] On the Motion of Viscount Melbourne, the House resolved itself into a Committee on the Beer Act Amendment Bill.

The Duke of *Wellington* observed, that it might be proper to introduce a clause for preventing the beer-houses from being kept open at unseasonable hours, as he had suggested when the subject was last under consideration.

Viscount *Melbourne* said, it was very difficult to determine what ought to be considered as an unseasonable hour. The hour of ten o'clock had been already fixed upon, and he therefore suggested that the noble Duke should allow the matter to remain as it was for the present. With regard to towns, it was necessary that the houses at any place should not depend upon the caprice of the local magistracy, and in consequence, he would make some other arrangement with regard to country places.

The Duke of *Wellington* said, the arrangement proposed by the noble Viscount, satisfied him with regard to towns, for, from all the information he obtained, the abuses of the beer-shops were hitherto most apparent in the country; and there the licensed houses were more under the control of the magistracy than in towns. The object of the Legislature was to give the poor the advantage of good and cheap beer, but without holding out any temptation to excess and irregularity. The sale of beer might go on till rather a late hour, but then it ought not to be drunk at a late hour on the premises. He apprehended they must make some further alteration in the Act, for the police regulations had not answered. But notwithstanding this, he thought the Act, on the whole, had been a great benefit. It had destroyed the monopoly of the brewers, and given the public the full advantage of the repeal of the duty. It was necessary that all existing evils should be checked, and though he was not particular as to an hour, and would leave that to the further consideration of the noble Viscount, yet he must insist, that further restrictions were necessary.

Viscount *Melbourne* admitted, that many evils had arisen from this measure, but he hoped they were of such a nature as might be mitigated, if not entirely removed. There were reasons for believing so many licenses would not in future be given; but as the whole Act might be regarded as an experiment, he thought they would in another year see their way more distinctly than at present.

Lord *Tenterden* said, there was a proviso in one of the clauses of the last Act, by which power was given to the magistrates, to enable them to guard against abuses as to the time these beer-houses were allowed to be kept open. He, therefore, hoped some similar clause might be now introduced which should have the effect of closing those houses at an early hour. It had been clearly ascertained that great crimes and disorders had been committed, particularly in the country, by persons sallying from them at late hours.

The Bishop of *London* expressed his hope, that at least a clause would be introduced to limit further the time for keeping open these shops on the Sundays. There ought to be no distinction between them and the regular licensed houses, in this respect; the latter class had large capitals embarked in them, and were under the control of the magistracy. This was not the case with the former. The object of the Legislature was, to give the poor the advantage of good and cheap beer, but without putting temptation in their way, or giving them additional opportunities for intemperate indulgence, or for profaning the Lord's day. He also wished to have a clause introduced in order to prevent people playing at skittles at these beer-houses. The practice of keeping skittle-grounds at them was not only injurious to those who frequented them, by leading them into excess, but was injurious to the owners of adjacent grounds. There were instances in which the existence of these skittle-grounds had been found injurious to the letting of the adjacent houses.

Lord *Wynford* had heard it said of these houses, that people remained in them until it was time to go out poaching, or to commit other depredations. He should, therefore, propose, that they should close at eight o'clock in winter, and nine in summer; in which case the guests must move out before the honest part of the community had gone to bed. He thought, also, that constables should be authorized to enter at all times, without a warrant, when they had reason to believe that any riot or disorder was going on, and when persons were drinking in those houses at hours not allowed by law. Some regulations were also necessary with regard to Sundays. It was, in his opinion, improper to allow those houses to be open or persons to enter in them during the hours of Divine service, and it might be advisable to subject the master to a penalty if persons should be found to remain more than one hour in the house on that day at one time.

The Earl of *Carnarvon*, referring to the control given to the constables over these houses, remarked, that there was not a more inefficient animal in the world than a country parish constable; and it was absurd to suppose, that rioting or tippling could be prevented by such an instrument. The old public-houses in the country were intended entirely for the accommodation of travellers; but these beer-shops seemed calculated for no other purpose than the encouragement of tippling, to remedy which he would prevent the beer being drank on the premises. At present, however, there was no other remedy against the drinking of beer at any hour on these premises, except the superintendence of these constables, under a Magistrate's warrant. But the constable could not effectually interfere, considering the odium and the vengeance to which he might be exposed, so that penalties could not be enforced. In towns the matter rested on a different principle, and yet it was very difficult to distinguish between a town and country parish. That difficulty had been experienced in other matters besides the present—it had been found very difficult to settle whether some boroughs in schedule A and in schedule B were in town or country. With respect to country parishes, this Act had been founded in mistake, and therefore the effect was mischievous. The beer-houses absorbed nearly all the money that the labourer received, to the material injury of his family, and it was absurd to imagine, that after every facility had been afforded to the poor man to get drunk at discretion for one year, that this habit could be got rid of by diminishing the number of licenses in future. Nothing would remedy the evil except prohibiting the drinking of beer on the premises.

Viscount *Melbourne* did not concur in the observations of the noble Earl who spoke last, as to the inefficiency of the parish constable; and as to the remarks of the right rev. prelate, in regard to shutting these houses on Sundays, he thought they should be put on the same footing as the regular licensed houses, which were not allowed to be open during the hours of Divine service. As to skittle playing, he thought it unadvisable to enter upon any minute legislation in regard to such matters. The police would find no greater difficulty in causing their authority to be respected in this, than in other matters. He thought it unwise to withdraw the measure. Intoxication arose as much from the reduction in price as from increasing the numbers of the places where beer was drunk.

The Bishop of *London* contended, that it was not necessary for competition that skittle-grounds should be attached to those houses. This was a kind of game which encouraged vast numbers of the working classes to resort to them, and the most pernicious consequences followed. If it was "minute" legislation to discuss this point, he begged to remind the noble Viscount, that certain sedentary games had been prohibited by law, because they encouraged people to sit. He did not wish to restrict the means of amusement of those classes, but there were games of a much more manly character in which they might indulge, and which did not lead to the same bad consequences of gambling and tippling. He would, if he stood alone, persist in pressing a clause to prevent retail beer-houses from having skittle-grounds attached to them.

Viscount *Melbourne* said, that the prohibition of skittles in those houses would be giving an additional advantage to the licensed public-houses.

The Bishop of *London* thought, that the allowing of skittle-grounds on these premises was far from being a matter of indifference, and therefore he would move, if he stood alone, to introduce a clause to prohibit skittle playing.

Lord *Tenterden* was of opinion, that the power of the constable, as the Act at present stood, was too limited, and therefore he proposed to add a clause, by which the constable should have the power to enter, as at present, under a Magistrate's warrant; and next, that in addition to this he should have the power, without warrant, to enter at all times when the houses were legally open, and at any time, upon being required to do so by an inhabitant of the vicinity, or on his having reasonable cause to suspect that persons were remaining there at an improper time, or that something improper was going on. If the constable abused this power, it would be at his peril. He therefore did not apprehend this would infringe on the liberty of the subject; he should therefore propose to introduce into the clause these words, "where a riot or disturbance exists, the constable may enter the house, for the purpose of quelling it, without a warrant."

Amendment agreed to.

The Bishop of *London* then proposed his clause, to the effect that any person licensed to sell beer or cider, who allowed skittles or any other game to be played on the premises for which he took his license, should forfeit 40*s*. for every such offence.

Viscount *Melbourne* said, that if the right rev. prelate thought this clause of importance, and that it was likely to be effectual for its purpose, he should feel some reluctance to resist it. Perhaps the right rev. prelate would not object to its postponement for the present.

Lord *Wynford* stated, that according to the existing law, playing skittles, or other games, for money, was illegal, and the offending parties were liable to a penalty.

The Duke of *Wellington* thought, that time ought to be afforded to consider the clause. There might be cases in which it would operate harshly, as for instance where the proprietor of a skittle-ground had been induced by the Act to add a beer-house to it. At the same time it was most desirable that the law which sanctioned the existence of such houses should not be subject to abuse. They were permitted for additional accommodation to administer to the comforts of the people, and to break down the monopoly of the brewers, and keeping these legitimate objects in view, the Act ought to be framed to prevent the abuse of them.

The Marquis of *Lansdown*, in addition to the strong ground taken by the noble Duke, of fair protection to the new interests, which had been created by the Act, saw another reason why they should hesitate to adopt the clause proposed by the right rev. prelate. He feared it would be ineffectual. That House seldom legislated with much success against the habitual amusements of the people. A skittle-ground might, in defiance of the clause, be opened by some other person than the occupant of the house, in the adjacent field, and be supplied with beer from the beer-shop.

The Bishop of *London* replied, that if they could not abolish an evil altogether, that was no reason why they should not attempt to mitigate it. He did not think that in any considerable number of instances the penalty would be evaded. He should, however, withdraw the clause for the present, in the hope that the noble Viscount would propose it at a future stage of the Bill. He should now propose that the houses should not be kept open after seven o'clock of the evening on Sundays and Good Fridays.

Viscount *Melbourne*, with respect to this clause also, would request time for consideration, and he had great doubts whether any enactment in this respect would prove effectual.

The House resumed.

HOUSE OF COMMONS,

Thursday August 18, 1831.

Minutes.] Returns ordered. On the Motion of Mr. Robinson, for a Return of all Offices and Appointments, the duties of which were performed by Deputy, distinguishing the name of the Principal and Deputy, and all other particulars relating to the Salaries and Situations.

Petitions presented. By Mr. Sadler, from the Lord Mayor of Dublin as Chairman, and Daniel Kenahan as Secretary, of a Meeting of the Citizens of Dublin, for the introduction of Poor Laws into Ireland. By Sir Robert Fergusson, from the Merchants of Londonderry, against any increase of the Wine Duties; and from the Distillers of the same place for discontinuance of the Drawback on Malt used in Distillation. By Lord Howick, from the Farmers of Northumberland and Tweed side, attending Coldstream Market, against the use of Molasses in Breweries and Distilleries; from the Ship Owners of Newcastle, against the Duties on Marine Insurances; from the Inhabitants of the Mauritius, for the reduction of Duty on Sugar. By Mr. Lefroy, from the Corporation of Barbers, Dublin, against the Irish Reform Bill. By Mr. Vesey Fitzgerald, from the Catholic Clergy of Galway, to equalize the right of Elective Franchise to all persons in Galway. By Sir John Sebright, from the Maltsters and others of Bishop Stortford; by Lord Maitland, from the presiding Magistrate of Dundee; and by Mr. Western, from the Owners and Occupiers of Land near Colchester; and from Owners and Occupiers of Land, and Maltsters, of Saffron Walden, against the use of Molasses in Distilleries and Breweries. By Mr. Western, from the Silk Manufacturers of Essex, to exempt the Silk Trade from the operation of the Cotton Factories Apprentices Bill. By Mr. Byng, from the Churchwardens and Officers of the Poor in St. James's Westminster, against the Vestries Bill. By Mr. O'Connell, from the Catholic Inhabitants of Conna (Cork), against any further Grant to the Kildare Street Society. By Mr. Spring Rice, from Protestant Freemen and Inhabitants of Ballindooley, and from the Chamber of Commerce, Galway, to equalize Civil Rights in Galway; from the Shoemakers of Limerick, for the Repeal of the Union; and from the Chamber of Commerce, Dublin, against the continuance of the Coal Meters Establishment. By Mr. Hunt, from the Inhabitants of Kensington and Hammersmith Branch of the National Union, nearly 20,000 persons not included in the Enfranchisement Clauses of the Reform Bill, praying, that all Tax-payers should be entitled to vote at Elections.

Sugar Refining.] Mr. *Baillie* presented a Petition from certain West-India Planters residing at Bristol, against the Sugar Refining Bill, in the prayer of which he entirely concurred.

Mr. *Burge* said, the petition was of importance, inasmuch as the Act afforded an indirect encouragement to the Cultivation of sugar in colonies whose slave population was recruited by fresh importations.

An *Hon. Member* said, it had been the intention of the framers of this Act to give adequate protection to the West-India interests, but they were deceived by not obtaining accurate information respecting the strength and quality of foreign sugar; which it had been found produced a greater quantity of lump sugar than was supposed.

Petition to be printed.

DUTIES ON INSURANCES.] Mr. *Littleton* presented a Petition from a farmer named Wakefield, in Staffordshire, praying for the repeal of two-thirds of the Duty on Insurances from fire effected on farmers' crops. If the prayer was acceded to, he believed that there was little doubt it would tend to repress the recurrence to the outrages of last winter, which were so general in Hampshire and the neighbouring counties, because the malicious object of the incendiaries would be defeated as far as respected farmers who might be the objects of popular revenge or ill feeling in individuals.

Mr. *Whitmore* hoped, that Government would reduce the duty, by which it would confer a great advantage on the country at this moment.

Mr. *Hunt* said, insurance was the great protection to the farmers from having their stacks maliciously burned, and he therefore supported the prayer of the petition.

Mr. *Benett* concurred in the observation that had been made. Had the parties who committed these atrocities last winter been aware that the loss occasioned by their acts would fall on insurance companies alone, much of the mischief would not have occurred. He believed most of these calamities were intended to injure particular individuals, who could find no more effectual remedy against the repetition of such attacks than the repeal of the duty, which he had often before described as improper.

Mr. *George Robinson* said, there could be no doubt that the removal of these duties would be a great advantage; they produced but a trifling revenue, but they actually exceeded the premium paid by the insurer to the parties who had all the risk. If such duties were removed, there could be no doubt that insurance generally would be much increased. These duties were a bounty on carelessness and incendiarism.

Mr. *Western* regretted, that the noble Lord (Lord Althorp) was not in his place to hear these remarks in the propriety of which he perfectly concurred.

Petition to lie on the Table.

LESCESNE AND ESCOFFERY.] Mr. *Hume* rose, in pursuance of his notice, to move for a Copy of the Report of the Commissioners of Legal Inquiry on the claims of Louis Lecesne and James Escoffery, in 1826 and 1827. The hon. Member observed, that the Motion was of great importance, not on account of the sum of money at issue, but on account of the principle. The whole claim was only about 16,000*l.* and the balance to be paid was 10,500*l.* The circumstances of the case were these: Two individuals, of the names of Louis-Lescene and James Escoffery, were, in the year 1823, removed from the island of Jamaica, on the allegation that they were dangerous aliens. They were removed under the authority of the Governor, the Duke of Manchester, aided by the advice of the Council, the Assembly, and law authorities of the Island. They claimed compensation from the British Government, on the ground that their deportation was illegal. The case was referred to the Commissioners of Legal Inquiry, who decided against their claim; but the case was subsequently referred to the law officers of the Crown in this country, and they decided in favour of the claimants. It was proposed to grant Messrs. Lescesne and Escoffery 16,000*l.* out of the public purse, by way of compensation for the losses which they had sustained by what now turned out to be the illegal conduct of the Duke of Manchester. If they were improperly deported, he contended that the indemnification for the losses of those individuals should come from the Duke of Manchester, or from the colonial legislature; but under no circumstances could he see any ground or reason why this Government should be called upon to pay the sum of 16,000*l.*, which had been allotted to these individuals. He concluded by moving for a copy of the Report of the Commissioners of Legal Inquiry in the case of these persons, in the years 1826 and 1827.

Lord *Howick* objected to the Motion, on the ground that, if it were acceded to, it should necessarily be followed by the production of many other papers—a proceeding which, while it would put the country, for printing and copying, to an expense of between 5,000*l.* and 6,000*l.*, could not possibly be attended with any practical or good result. The point of law had been already decided by Mr. Justice Bosanquet and the law officers of the Crown, and he submitted, that no practical good could follow from having this decision reviewed by the House. He also remarked, that it would be an act of gross injustice to compel the Duke of Manchester to repay this money, as he had acted with the advice of the Council, the Assembly, and the law authorities. Equally unjust, however, would it be, that the injury suffered by those people should not be considered, and the money for which the Government stood pledged paid over to them.

Mr. *Burge* said, that in the absence of the report and evidence on this case, he could only give his own private opinion with respect to it. He conscientiously believed, that the conduct of the government of Jamaica was perfectly justifiable. He filled an official situation in Jamaica at the time the occurrence took place, and he did not shrink from saying, that he approved of it. The case was one, partly of law and partly of fact; and if it were to be discussed in that House, that course could only be taken on the production of every paper and document connected with it. He could not perceive any necessity for such a proceeding.

Dr. *Lushington* said, that in October, 1823, these two individuals, who had lived in Jamaica from their infancy, were seized, for the purpose of being deported, on account of some suspected disaffection to the government. They applied to the Chief Justice to know whether bail could be taken in their case. They were informed that there was no charge against them, and they were set at liberty. They returned to their business, and were not molested for five weeks. A Secret Committee of the House of Assembly was then formed, and in consequence of their proceedings those persons were again arrested, and sent out of the island. The minutes of the Secret Committee disclosed conduct which no Englishman could view without detestation. He had afterwards moved for a Select Committee of the House to investigate the case. But Mr. Canning said, " Let the whole matter be laid before the Government, and it shall be inquired into." Persons were appointed (Mr. Courtenay and others) who inquired into, and reported on it. The matter having been thus taken up and decided by Government, there was, in his opinion, no necessity for re-considering it in that House. At all events, he was certain that they could not come to any decision on it, unless the whole of the documents were produced, and then holding an investigation, which would last, at least, six months. He trusted, for these reasons, that his hon. friend, the member for Middlesex, would not persevere in his Motion.

Mr. *Hume* agreed to withdraw his Motion, but declared, that when the grant was proposed, he would object to it, on the ground that they had no information on the subject, and he would take the sense of the House upon it.

COMMERCIAL TREATY WITH FRANCE.] Mr. *George Robinson* said, he rose to call the attention of the House to a question which considerably affected the commerce of this country, and he therefore trusted he might be excused for pressing it on their attention at that moment. The House would recollect, that on the 26th of January, 1826, one of the treaties which were called Reciprocity Treaties had been concluded between this country and France, by which it was agreed, that from and after the 5th of April following, all ships of both nations should be admitted into the several ports of each, on payment of the same duty as that levied upon the vessels of each particular nation. It was likewise provided, that all goods, wares and merchandise, should be admitted into their several ports, in vessels belonging to either nation, at the same rate of duty as was charged by each nation upon goods, wares, and merchandise, imported in ships of their own country. Now, nothing could, to all appearance, be more fair and equitable than this arrangement, but he thought he should be able to prove, that although this treaty might have been kept to the letter, it had yet been violated in the spirit, by the government of France. To explain this, he begged, in the first instance, to read a few words from one of the clauses of the treaty, which would show, that the object contemplated by the contracting parties was, to diminish the burthens upon commerce generally, and that there was not the slightest intimation of an intention to increase the duties upon either side.

The words were, "At the same time, with a view of diminishing the burthens upon commerce generally, his most Christian Majesty consents to reduce all duties in proportion with those now levied in the ports of the United Kingdom of Great Britain and Ireland." Here there was reference to a probable diminution of duty, but nothing was intimated respecting an increase; because the great object of the treaty was, that both nations should diminish the burthens upon commerce already existing. Would the House, then, believe, that when this treaty was promulgated on the 8th of February, 1826, it was accompanied by an Ordonnance, to which England was no party, raising the duty on French tonnage, and therefore on British tonnage, admitted under this treaty, above what it had been before. The consequence of this was, that the rate of duty paid by English vessels in the ports of France was much greater than that paid by French ships entering into British ports. A remonstrance, he understood, had been made to the French authorities upon this subject; and the only answer which could be obtained was, that they had adhered to the letter of the treaty, in not charging more on English tonnage than on that of their own vessels. He admitted the fact; but he insisted they had violated the spirit of the agreement. It might be said, perhaps, by the French government, that England could, if she thought proper, pursue the same course; but France knew well, that according to the course of our commerce, it would be utterly impossible for us to raise the duty upon British tonnage; and that she must, during the remaining five years of the treaty, if we succumbed to this violation of the spirit of the compact, continue to enjoy the advantage. By another article of the treaty, it would be remembered that goods were allowed to be imported into this country in French vessels, at the same rate of duty as if they had arrived in British bottoms. But let the House observe the different effect which this arrangement had upon the commerce of the two countries. While here it was the policy to lower every duty on French goods and merchandise, so as to afford them the utmost facility of introduction into this country, the policy of France, on the contrary, was to impose a prohibitory duty on British goods. Thus it appeared, that in commerce as well as in shipping, France enjoyed every advantage in our power to grant, while we, on the contrary, were precluded from every benefit in her power to bestow. The duty on British ships in French ports was seven francs a ton; on French ships, in British ports, it was only three shillings a ton. Before this treaty had been passed, too, it had never been the practice to levy a duty upon the tonnage of French vessels returning from a foreign port, nor was it now, except in respect of those vessels returning from a British port. Now, however, they charged a heavy duty on French ships returning from British ports, and this simply and solely that they might be enabled to levy a similar amount upon British vessels. His object in calling the attention of the House to this subject was, to procure sufficient official information to enable the House to come to a conclusion upon the question, and to justify him in a motion, that his Majesty's Government be directed to address a remonstrance to France upon the virtual infraction of the treaty—an amicable remonstrance—which he could not doubt would, under the circumstances of the case, be found sufficient. He should accordingly move for copies or extracts from the correspondence between his Majesty's Government and the Consul-general at Paris on this subject. If, however, he were assured by the Government that they would take the matter into their own hands, and if the treaty was, as he contended it had been, virtually violated, pledge themselves to obtain redress, he would not press his Motion. The hon. Member moved "for copies and extracts from the correspondence between the British Government and the Consul-general at Paris, relative to tonnage and other duties levied in the ports of France since the Convention of 1826."

Viscount *Palmerston*, after admitting the extreme candour and fairness with which the hon. Member had brought his Motion forward, said, that when he informed the hon. Member the matter was under discussion between Ministers and the French government, and that the production of the papers would be attended with inconvenience, he was sure that the hon. Member would not press his Motion. A correspondence was at that moment going forward with the French Government, which it would then be inconvenient to produce, but when it was brought to a close, he should not have the slightest objection to lay the whole of it before the House. He would not at present attempt to argue the case, because he was engaged in endeavouring to convince the French government that they had not heretofore executed the treaty properly, and according to our acceptance of it; and that, in fairness and equality, what we demanded of them ought to be done forthwith.

Motion withdrawn.

SMUGGLING IN LONDON.] Mr. *Hunt* wished to know from the Vice-President of the Board of Trade, whether it had come to the knowledge of his Majesty's Government that several extensive seizures of contraband articles had very recently been made in the city of London; one in Gutter-lane, one in Fleet-street, and one in Newgate-street; and also, whether any proceedings had been taken or were to be taken in consequence of those seizures? It had come to his knowledge that the parties in whose possession the goods had been found were but the agents of very large houses in the city which were well able to pay the full penalties, and therefore he hoped no compromise, as was often the case, would be come to. He was not going to turn informer.

The *Speaker* said, that as the hon. Member rose merely to put a question, it was not competent to him to go into other matter.

Mr. *Hunt* would then only beg an answer to his questions.

Mr. *Poulett Thomson* said, his Majesty's Government had been apprised of the seizures adverted to by the hon. Member, and proceedings in consequence of them had been commenced. Those proceedings he had every reason to believe would be entirely successful, and most assuredly the full penalties would be enforced.

Mr. *Hunt* said, it had been communicated to him that smuggling was going on in the city of London to an enormous extent. If five or six persons were employed to watch the proceedings of certain great houses, they would put a stop to more smuggling than one half of the Preventive Service.

YEOMANRY (IRELAND).] The Marquis of *Chandos* wished to ask the noble Lord (Lord Althorp) whether there was any truth in a report which he had that day heard—viz., that the Government intended to disarm the Yeomanry of Ireland.

Lord *Althorp* said, that Government had measures under consideration for the regulation of the Yeomanry of Ireland. If these measures could be brought to a state of sufficient forwardness, they would shortly be submitted to the House. He could not give a direct answer to the question of the noble Lord. In considering the measures to which he alluded, the mode in which the Yeomanry should hold arms would be one of the matters to be regulated; but until those measures were matured, he could not state what it was intended that that mode should be.

POOR LAWS (IRELAND).] Mr. *Sadler* rose, for the purpose of submitting to the House the Motion of which he had given notice on this subject, but was interrupted by

Mr. *O'Connell*, who said, he must entreat the hon. Member to postpone his Motion. He was sure the hon. Member would give him credit for sincerity when he said, that he was convinced of the excellence of the object, and of the purity and the humanity of the motives of the hon. Member. He must, however, suggest to the hon. Member, the propriety of postponing his Motion till after the Reform Bill was disposed of. If the hon. Member would do this, he would have the assistance of a great number of the Irish Members; but the Irish Members would not think of entering upon the discussion of such a question to-night.

Mr. *Sadler* said, if he had then for the first time been called upon to postpone the Motion of which he had given such frequent notice, he should have no hesitation whatever in complying with this request. This, however, was not the first or the second, but, he believed, the sixth time, that he had been called upon to postpone his Motion, and he could not but remember that many hours of the time of that House had been taken up by desultory conversations on the distresses and the sufferings of Ireland, which led to no practical result whatever. He felt that postponement, unless upon a specific understanding, was defeat. However, after what had been said by the hon. and learned Gentleman, who was himself so ardent a friend to the lower orders of Irish, if the noble Lord (Lord Althorp) would undertake to give him a day next week, or even before the prorogation, he would consent to the postponement of his Motion.

Lord *Althorp* said, the hon. Member should have precedence on Monday week of all Government business.

Mr. *Sadler*, on the clear understanding that his Motion should come on on Monday se'nnight, consented to its postponement to that day.

Motion postponed.

Belgic Negotiations.] Sir *Richard Vyvyan* said, the subject he was about to bring before the House, embraced considerations of a great extent, and of great importance; and were it not that it had previously been introduced, and questions respecting it answered by his Majesty's Government, he hardly knew whether it would have been expedient for him then to advert to it. What had already occurred, however, rendered some further explanations necessary. He was aware that it must be annoying to those who were in power, to have their conduct continually arraigned, and to be questioned upon matters which were scarcely yet concluded, or which, if concluded, had an intimate relation to something still in progress; but as the peace and the honour of this country were at stake, it could not be expected, that that House should be longer silent. It was evident that in all such cases the time must come when that House ought to interfere, and to receive information, and in his opinion that time had now arrived with respect to the case of Holland and of Belgium. He would, therefore, without apology, proceed at once to the subject. Let it not be said, that his object in bringing forward this question was to embarrass his Majesty's Government, or to interfere with the exercise of the just prerogatives of the Crown. He had no such intentions. The subject had been already partially before the House, it had been discussed in another place, and the answers which had been given to questions put by a noble friend of his, and the statements which had been made on the part of his Majesty's Government, rendered some further explanation necessary. Neither could the noble Lord the Chancellor of the Exchequer accuse him of any discourtesy, in at length bringing his Motion forward. That noble Lord must be aware that he meant to bring the subject under the notice of the House, when he was able to speak decisively on it. Sufficient evidence was already afforded, even by the answers of the noble Lords opposite to the inquiries made by noble and right hon. friends of his, to lead him to form a conclusive opinion upon the system of policy pursued by his Majesty's Ministers, and to forbid him to expect any more information than he already possessed. He persisted in bringing forward his Motion, however, because it would give many that opportunity of expressing their feelings and opinions, and delivering their sentiments upon these matters, which it might not otherwise be their fortune to obtain. The discussion he was about to introduce was not, he contended, premature, for if war had not already been declared, or the Conference broken up, still warlike preparations, it was notorious, had been made by one of the Powers a party to the Conference—and the Sovereign of the country immediately concerned, the king of the Netherlands—for he did not consider Belgium as a regularly acknowledged Power—had actually taken the field and commenced hostilities. Looking at the condition of our foreign politics, there were many subjects which naturally attracted attention and merited remark, and were more or less connected with the spirit of our conduct with respect to the Netherlands and to Belgium. The question of Portugal might be alluded to, and he certainly hoped to have clearly explained the *casus fœderis* which he apprehended had recently occurred there. He would wish, in what he had to offer upon the subject, to confine himself, as nearly as might be, to the actual object for their consideration; he would not, accordingly, touch upon the Portuguese question, though he was extremely anxious it should be brought before the House; but, at the same time, as he regarded the Belgian question as the key of the great problem of peace or war in Europe, he felt it would be necessary to deviate a little from the strict line, and allude to the general aspect of the other European governments as connected with the affairs of Belgium. In entering upon this question, he was willing to suppose, that the king of the Netherlands had consented that one part of his dominions should be separated from the other, upon certain considerations—that the Belgian provinces should be separated from Holland. He would also suppose Leopold, king of Belgium, elected by a large majority; and, if the principle of election be admitted in Europe, fairly and honourably elected sovereign of this new kingdom. Now the House, knowing these facts, and the public being informed of them, had a right to expect, that tranquillity would have been the result. But, on the contrary, this enthronement had positively been the signal of war to Europe. The object proclaimed by the Government had been, to preserve peace. With this view, it had been stated, was their every act guided; but by the king of the Netherlands this enthronement had been considered an infraction of the existing treaty, and a just ground for war, and therefore had he ordered his troops to march into Belgium. He had to remind the House that he had already, for various reasons, on several occasions postponed his Motion. On Friday week he had been informed, that the Armistice between the Dutch and Belgians had been broken; and on the evening of that day he asked the noble Lord the Chancellor of the Exchequer, if he had received any official information to that effect? The noble Lord, in answering in the affirmative, requested him to postpone his Motion, because an Ambassador had been despatched, and he had reason to expect that peace would be restored. He consented, giving notice for the Tuesday following. On that day he again postponed his Motion, at the entreaty of the noble Lord, because the king of the Netherlands had consented to treat. He gave notice for Thursday last, when he was fully determined to persevere in his Motion. But he was again asked to postpone it for another reason; namely, that the French government had given a solemn assurance that the French troops would withdraw as soon as the Dutch troops had repassed their frontiers. On this question it was, that the House was now called upon to debate. It was a question on which the honour of England was interested—on which it was, in fact, deeply pledged. He need not add, that after the explanation—after the positive assurance of the noble Lord opposite—the honour of his Majesty's Ministers stood pledged. And now, notwithstanding this solemn assurance on the part of the French government to the Minister of this country, it appeared that France had determined to maintain 30,000 men as an Army of Observation in Belgium, to remain there—so the demi-official report of that evening stated—encamped at Nivelle, until the Dutch had disbanded half their army, and paid all the expenses of the war. On Thursday last, the noble Lord opposite had declared that the French troops were to withdraw as soon as the Dutch had retired beyond their position; and to-day it was stated, and no doubt they would hear it defended, that 30,000 men were to remain in occupation of Belgium. It would be for his noble friend to state whether this was a fact or not; and if it were a fact, then it would be for his noble friend to say whether it was done with the concurrence of the Conference, and, above all, whether this country was a party to any such arrangement. He knew not whether his noble friend meant to defend this conduct of France or not; but however that should turn out, of this he was certain, that it was a question in which the honour of this country was involved, and in which the honour of every other party to the Conference—of Russia, of Austria, and of Prussia was equally concerned. It was a question which involved the honour and the interests of the country, and therefore only required to be properly explained to the country, to induce it to take a lively and a becoming interest in its explanation and its settlement. It might, upon investigation, appear that the conduct of France, was the act of France, and not of the Conference—and an attempt might ultimately be made, to induce this country and the other Powers tamely to submit to such an insult, solely out of deference to a certain party in Paris, who seemed to have the disposition, if not the power, to rule Europe. In the debate which occurred on Friday last, it had been most clearly shewn, that the whole of the conduct of the king of the Netherlands had been consistent with the strictest honour. The letters upon which there had been so much misunderstanding had been so fully explained and set right before the House by the debate upon that occasion, that it must be useless for him then to go into any explanation or argument respecting them. It was found and confessed, that the king of the Netherlands, instead of having acted a treacherous, or indirect, or deceitful part, had neither broken nor violated an armistice, nor any understanding for the cessation of hostilities; but, on the contrary, that he had given repeated and full notice of his intentions and of the grounds upon which he had adopted his decision. The point upon which the king of the Netherlands, as he had a perfect right to do, took his stand, was the arrangement of the Protocols; and his intention was, to move for the production of copies of all the Protocols, in order that that House and the country might have this important subject fully and fairly before them. The question of the two Protocols was the one upon which the king of the Netherlands took his stand, and it was a ground to which the Powers at the Conference could offer no objection, for those documents were the offspring, or the adopted, of the Conference. A basis had been agreed upon by the Conference; that basis had been promulgated in the two Protocols; those Protocols were accepted by the king of the Netherlands, and his conduct had been in strict concurrence with their doctrines. The king of the Netherlands, therefore, had not only done every thing that he ought to have done in strictness, he had not only foregone the appeal which he had a right to make to the great Powers who had guaranteed the consolidation of his kingdom, but he had also given up his right to judge for himself in his own case, and had intrusted it to the hands of the Conference. Well, then, under these circumstances, the Conference prepared certain articles; those articles were adopted by the king of the Netherlands; but, the moment they came to Belgium, where the basis of the arrangement was to be tried, there it was rejected. The Belgians not only refused to accede to that to which the king of Holland had already given his assent, but they actually flew in the face of the Conference, and expressed their determination to resist the propositions which had been transmitted to them for their final acceptance. It was well known, that Lord Ponsonby was sent over to Brussels with the Protocol to which the king of the Netherlands had already assented, and that the object of his mission was to communicate to the congress there that they must accept it as the final arrangement, or be prepared, in case of refusal, for a declaration of war by the Powers, parties to the Conference in London. Nothing could be more fair or just than that, and nothing could be more proper, than that the Conference, after having made such a final arrangement, and after having made the king of the Netherlands give his assent to it, though it was clearly against his own interests, nothing was more proper than that they should call on the Belgians to agree to it, and threaten them with force in case they refused to do so. Was the letter which Lord Ponsonby brought over with him to that effect ever delivered to the Regent? That was an important question, and, no doubt, his noble friend would be able to give a satisfactory answer to it. If his noble friend, however, should be silent upon that point, they would have a right to conclude that it had never been delivered to the Regent, for the Regent himself had declared that he knew nothing about it. The Belgians having thus displayed a spirit perfectly in opposition to the wishes and the arrangements of the Conference, proceeded to the election of a sovereign. Their choice fell on the prince of Saxe Coburg, who was accordingly elected king of Belgium, and who took an oath to observe a constitution which was directly contrary to the eighteen articles which had been laid down by the Conference as the basis of a final arrangement. Notwithstanding such conduct on the part of the Belgians, the Government of this country sent them over the prince of Saxe Coburg to take possession of the Throne of Belgium, and when the king of Holland, who had acceded to the final arrangement made by the Conference, proceeded to employ military measures to enforce his rights against the Belgians, who had refused to accede to any arrangement, this country and the Conference interfered to prevent him. That would form a serious charge against this country in history, and, probably, it might yet be made a matter of charge against his Majesty's Ministers. He trusted, that he had said enough to prove, that the king of the Netherlands had been perfectly justified in the course which he had pursued. He had been most unjustly treated, and he had been most unreasonably asked to give his assent to propositions which were clearly in favour of his revolted subjects; and when, in defiance of all feelings of delicacy towards the king of the Netherlands, the Conference acknowledged the king of Belgium, the king of the Netherlands might have acted imprudently in casting an affront upon a body so powerful as the Conference, but, at all events, this must be said for him—that, in doing so, he acted honourably towards the Dutch nation, and with a due regard to the feelings and the honour of that people whom the destinies had committed to his charge; and, however history might hereafter dwell upon the imprudence of his conduct, it could not but do justice to the nature and motives of his enterprise. Though his motives and his conduct had been maligned and misrepresented in the first instance, they were now properly understood and appreciated, and even the liberal papers in France, which were understood to express the opinion of the liberal party there—even the editors of those papers, who had been prejudiced against him—had now acknowledged, after the perusal of the letters of the 1st and 2nd of August, and especially after the perusal of that most important document which was published by the king of the Netherlands, on the occasion of Prince Leopold accepting the Throne of Belgium, without having acceded to the 12th Protocol—the editors of the French liberal papers, after having perused those documents, acknowledged, that they had been in error in attributing bad faith to the king of Holland with respect to Belgium. In the *Constitutionnel*, which had been received by that morning's post, it was acknowledged that the king of Holland had not been guilty of bad faith in breaking the armistice, as he had given sufficient previous notice on the subject. Having said so much upon that point, he would now proceed to consider the arrangement which had been the consequence of the interference of the five great Powers. In consequence of the first revolution in France, the balance of power in Europe had been so changed—so many old kingdoms and ancient dynasties had been swept away, and so many new kingdoms had been erected—that it was found necessary, at the conclusion of the war, to substitute a new system, which might be calculated to maintain the balance of power as in former times, and to preserve the tranquillity of Europe. Though, in erecting a system for that purpose, some mistakes might have been committed at the Congress of Vienna, and though not the least one amongst those mistakes was the junction of Belgium with Holland, still, he thought that the preservation of the peace and tranquillity of Europe was of such importance, that we should be inclined to pass lightly over such a mistake as that. At the same time, he was ready to express his opinion, that it was a great misfortune that an annexation had ever taken place between two countries which had been always so jealous of each other as Holland and Belgium; and the question, it appeared to him, might have been at the time justly entertained, whether it would not have been more for the interest of this country to keep those two countries, the one a manufacturing, and the other a commercial country, separate and distinct as heretofore. The guarantee, however, for the annexation of the Belgic provinces to Holland was given by all the Powers who were parties to the convention which was agreed to at the Congress of Vienna. In the sixty-seventh article of the general act of the Congress, it was stated, that the duchy of Luxemburg should be annexed to Holland. He must beg leave to read that article to the House. It was precisely the same as the third article of the separate treaties between the king of the Netherlands and the four great Powers. It was this—"The part of the ancient duchy of Luxemburg, comprehended in the articles, and specified by the following article, is equally ceded to the Sovereign Prince of the United Provinces, at present king of the Netherlands, to be possessed by him and his successors for ever, in full property and sovereignty. The sovereign of the Low Countries will add to his titles that of the Grand Duke of Luxemburg, and the power is reserved to his Majesty of making such family arrangements with regard to the succession of the grand duchy, between the princes, his sons, as he may judge conformable to the interests of his monarchy, and his own paternal intentions. The Grand Duchy of Luxemburg will be a compensation for the principalities of Nassau, Dillenburg, Siegen, Hadamar, and Dietz; it will form one of the States of the Germanic Confederation, and its prince, the king of the Netherlands, will enter the Confederation as Grand Duke of Luxemburg, with all the prerogatives and privileges enjoyed by the other German princes. The town of Luxemburg will be considered, with regard to its military relations, as a fortress of the Confederation. The Grand Duke will, however, have the right to name the governor and military commandant of this fortress, provided he obtains the approbation of the executive power of the Confederation, and under such other conditions as may be deemed necessary, in conformity with the future constitution of the said Confederation." It was, no doubt, a matter of great importance, to bring this new kingdom of Holland and Belgium into the Germanic Confederation. Now, by the annexation of the duchy of Luxemburg to that kingdom, Holland and Belgium were introduced into the Germanic Confederation, and all the Powers that were united in that Confederation, had guaranteed Luxemburg to the king of the Netherlands. All the Powers that were engaged in that confederation guaranteed that duchy to the king of Holland, as clearly as any of the smaller States had been guaranteed to the other Powers; and all the Powers were mutually bound together not to enter into any engagements which might be calculated to affect the safety of the Confederation, or of the individual States united in it. There was no denying, that such a guarantee, to which the King of this country, as king of Hanover, was a party, existed. It was distinctly said,in the second article of the Act of the Germanic Confederation, that "the object of this Confederation is, the maintenance of the external and internal security of Germany, the independence and inviolability of the confederated States." It was said, in the eleventh article of this same treaty—"the States of the Confederation engage themselves to defend, not only Germany, but each individual State of the union, in case it be attacked; and they mutually guarantee all such possessions as may be included in this union. The members of the Confederation, in reserving to themselves the right of forming alliances, hold themselves bound to contract no engagement which will be directed against the safety of the Confederation, or of the individual States of which it is composed." In the twelfth Protocol of the Conference, the validity of this was expressly acknowledged. Luxemburg was said to belong to the king of the Netherlands. The Belgian Congress, however, having declared that Luxemburg should belong to Belgium, the London Conference bowed to its decision. The new sovereign of Belgium, too, on accepting the throne of that country, took an oath, in compliance with this declaration of Congress, to maintain Luxemburg as a part of the Belgian kingdom. In doing so, he actually flew in the face of the Conference, and yet, to the surprise of the world, when the king of Holland said, that he would not consent to this, the Conference turned round on him, and told him that he must. To him, it seemed incredible, that the representatives of the great Powers in Conference should have so far forgotten what was due to their own previous act, due to former treaties, and due to the king of the Netherlands and their own masters. His charge against his Majesty's Ministers was, that they did not enforce that guarantee which was to be found in the sixty-seventh article of the Treaty of Vienna, after they had acknowledged it, and that they did not compel the Belgians to respect it. He might be told, that the king of the Netherlands was willing to accept of a compensation for Luxemburg, and that he could still sell his right to the duchy, but that had nothing to do with the question. The Belgians should have been made to respect that right, before compensation for it was talked of. The king of the Netherlands might consider it more for the interests of the Netherlands, and for the safety of Belgium, that the duchy of Luxemburg should not continue annexed to Holland, but it was idle to talk of the compensation which he would be entitled to for giving up that right, until Belgium was made to acknowledge it. Even supposing that compensation was given to the king of Holland for that duchy, the question would still arise, whether the duchy of Luxemburg was henceforward to continue a party to the Germanic Confederation, and whether Belgium, as including that duchy, was to be a part of that Confederation. It was very well to talk of erecting a neutral State in the instance of Belgium; but they all knew what was the neutrality of small States in a case of war. When they separated those two States,the neutrality of Belgium would mean its being connected with France; and if Belgium, by means of the duchy of Luxemburg, should not become a part of the Germanic Confederation, there was no doubt that it would hereafter be dependent on France, instead of being, as it ought to be, a bulwark opposed to that Power. This question, in fact, as regarded the duchy of Luxemburg, was a question of limits, as far as limits were concerned, and of State policy, so far as the balance of power was concerned, and the preservation of the peace of Europe. The government of the king of the Netherlands in Belgium had been a most beneficent one, and, of it the Belgians had no reason to complain. It was, no doubt, extremely difficult to manage the government of two countries, so different in customs, habits, feelings, manners, and religion, as Belgium and Holland were. It had been said, however, that the king of the Netherlands had restrained the Belgians in the exercise of their rights, and that, in fact, he had acted the part of a tyrant in civil, and a bigot in religious, matters [*"hear, hear," from Mr. O'Connell.*] He understood that cheer from the hon. member for Kerry. An opportunity had long been wanted to expose the machinations of that party which had calumniated the king of the Netherlands, and the time had at length arrived, to tear the mask off a party that had done, and was doing, so much mischief in Europe. The machinations of that party had given rise to what had taken place in Belgium, and it was now pretty plain that the efforts of the same party were at work, to create a somewhat similar explosion in another quarter, with which the hon. member for Kerry might be acquainted, and to which he (Sir Richard Vyvyan) should not more particularly allude. That party which associated with Liberals, while it professed despotic principles, was the cause of the revolution in France. It was in consequence of the system which that party carried on in Belgium that the revolt succeeded there, and the same party was desirous to provoke a similar resistance elsewhere. Although the explosion had first taken place in Belgium, it was intended to extend much further. It was indeed time for the Government to look about it. The centre of the bigoted army was in Paris; the right wing was at Brussels, while the left wing was looking on in Dublin. There was still time left to unmask such a party, and to counteract its efforts. It was an unholy alliance of bigotry and despotism which endeavoured to work on the passions of the people. It had tried to stir up reaction in Paris, but it had succeeded in causing the Revolution in Belgium. The House could not fail to observe, that precisely the same plan was followed in Ireland too, that had been adopted in Belgium. There were the same kind of petitions, and upon the same subjects. There were petitions against the College of Louvain in the one instance, and against the Kildare Street Society in the other. Though there were several Catholic Members in that House, he hoped that none of them brought with them that ultramontane spirit which had produced such dissensions in France and Belgium. He trusted, that no one there would take up the defence of the Jesuits, though perhaps, indeed, they might meet with defenders who were at least Jesuits in speech and action. The Belgians had made most unjust complaints against the king of the Netherlands with regard to his conduct in respect to education. In the year 1825, the king of the Netherlands put forth a public edict with a view to secure a good education for the priesthood. Missionaries were then going about in Belgium, and tormenting the people there as they had been doing in Normandy, in France. The king ordained that the schools which were to be erected under this edict should be under the direction of the Catholic Bishops. Had the Belgians any reason to complain of that? He then established a college at Louvain for teaching the sciences, and decreed that no person should be admitted in the Universities with a view of entering the Church, till he had gone through preparatory studies: was that tyranny? The king of Holland's object in erecting those schools was, in fact, toleration. He was anxious to impart a national education to the Belgians, and to bind them up with the interests and the institutions of the country in which they lived. In 1825 and in 1826 the subject was brought before the States-General, and it was to be remarked that on both those occasions the Liberals by no means spoke against the edict of the king of the Netherlands. In 1827 a concordat was entered into by the Government with the Pope, and that was received quietly not only by the nation at large, but by that party also which subsequently caused the revolt. It satisfied the Liberals. At the end, however, of the year 1827, and in the year 1828, efforts were made by this party to get up petitions against the laws with respect to education. In consequence of such efforts, in the year 1829, the table of the States-General was loaded with petitions against the schools, and against the several edicts of the king relative to education. The Catholics and Liberals formed an alliance, and the latter joined the former in decrying the liberal system adopted by the king. In 1829 a report was published by the Minister of the Interior, in which he said—"The decrees of the king, in 1825, published under a salutary influence inspired by the fears of the momentary power of the Jesuit party in a neighbouring country—decrees, having for their object to limit the pretensions of some of the Roman Catholic

Clergy, who claimed an exclusive right of instruction, and which subjected the scholars to a more complete education, and one more in harmony with the great intellectual development of the nineteenth century; these decrees are the cause of the complaint of the second class of petitioners—namely, those who are desirous of rendering education free, in order that they may derive a personal advantage from it." A modification of the laws was then granted by the king, and granted to as liberal an extent as any man who was not disposed to be a traitor would have desired on the subject. Counter edicts were issued, the preliminary education at Louvain was dispensed with, and that establishment was broken up. Even the Pope was pleased, and expressed by a letter to the king the satisfaction felt by the Sacred College. He might be told, with regard to civil matters, that the king of the Netherlands did not give the Jury-system to the Belgians. This had been made a matter of fertile abuse against him, and in the French papers he had been over and over again accused of wishing to establish a tyrannical despotism in Belgium. Now the fact was, that three Jury laws had been successively sent by him to the Chamber in Brussels, and they were successively rejected by increasing majorities. It might be possible that in what he was about to say he might offend the prejudices of some Gentlemen in that House. He was ready, however, to avow his candid opinion with respect to the late revolution in France. Great as were the results that would flow from that mighty event—and that war would be one of those results there could be no doubt—yet, seeing on the other side an arbitrary and tyrannical authority attempting to rule by ordinances, and beholding on the other side a liberal feeling, exaggerated perhaps, but not more so than that which was opposed to it —seeing these things, notwithstanding the inconveniences which would follow from that event, yet, as it was one in which the happiness and the liberty of the world were concerned, he for one would say, that he was not sorry that the revolution in France had occurred—he was not sorry that Charles 10th had been driven from the Throne of France, as James 2nd had been from the Throne of England, for attempting to subvert the institutions and liberties of his country Great inconveniences might result from that Revolution: the establishment of a republic might be one of them, and indeed the reverberation of that event was already felt in this country; but yet he would say, that he was not sorry that it had taken place. He was not sorry for the expulsion of Charles 10th, though perhaps the persons who had expelled him had gone much further than those who had driven James 2nd from the throne of this country. And here he begged to say, that the ultras in this country, as they were called, and the ultras in France, were quite different parties. The ultras in this country consisted of those who were anxious to retain the old institutions of the country, with the introduction of such improvements as wisdom and experience might suggest in them. The ultra party in France, on the contrary, who had caused the revolution there, wished to pull down the charter, and to establish a despotism of ordinances. The French and Belgic revolutions differed materially, and the difference consisted in this—that while the revolution in France was a just resistance to arbitrary authority, that in Belgium was an unjust and unprovoked rebellion. The impartial page of history would describe the revolution in France in the terms he had mentioned, while the revolution in Belgium would be regarded as a rebellion. With regard to the question of our interference with foreign Powers, he begged to say one word. It had been affirmed that non-interference was the rule for us in such matters, and that interference was the exception. But he would reverse that assertion, and contend, that interference ought to be the rule, and non-interference the exception. That had been the policy of Europe for many centuries. When they beheld such a revolution as that which had taken place in Belgium, it was high time that those Powers which were anxious to preserve their own dynasties, and to maintain the tranquillity of Europe, should interfere. Because France had made her army enter Belgium, he trusted that Ministers would not think it necessary to give way in any one point; let them not go on succumbing to that Power which had but one object, and that was to propagate its own doctrines, and extend its influence. He believed that the Cabinet of France was not acting dishonestly, but in that country there was a power behind the Cabinet which influenced, if it did not control, its actions. He would entreat his Majesty's Ministers, for the honour of England—he would implore them, for the safety of the country, and for the peace of Europe, to make a firm, and a bold, and a determined resistance to the line of policy which that party in France would wish to pursue. He was well aware, that there were some subjects upon which it was dangerous to expatiate when they had to deal with Powers that might take offence at the slightest suggestions of those who were supposed to be hostile to them; but, taking all necessary care not to offend others, an equal care ought to be taken not to injure ourselves. He would wish Ministers not to give any just cause of offence to the revolutionary party in France, but he would wish them to be equally guarded in not surrendering the power they already possessed, for bullies always became greater bullies by concessions, and if Ministers would only be firm and resolved they would meet with the support, not only of that House but of the whole country. He was only calling the attention of the House to points which, he thought, involved the honour and safety of the kingdom. He wished to know if his Majesty's Ministers were at length undeceived as to the intention of the French in entering Belgium. This was the great question which called for the interference of the House. If it were known, that England was not a Power that might be ill-treated with impunity, if the French and the Belgians were well satisfied of this, by the spirit of English councils, his Majesty's Ministers need not be afraid in any emergency of appealing to the people of England. By bearing a bold front, and showing a determined spirit, peace might be maintained; for the best way to have peace was to be prepared for war, and not to be afraid of those insinuations which had been levelled against England in a certain assembly. Though he expected only a short speech from the noble Lord (Lord Palmerston), yet he trusted he would give some explanation on one point. There was no doubt the noble Lord was justified, by the assurances he received from France, in his statement as to his expectations that the French army would be removed from Belgium immediately on the withdrawal of the Dutch troops. He hoped war might be avoided—he prayed for peace, but he was satisfied that the best mode of preserving peace was by being prepared for war. The ultra party in France was doing its utmost to drive that country into a war with England. Every thing was done to revive old grievances and old prepossessions against the English nation. The extent of our colonies, and our possession of those islands on the coast of Normandy, which were said to be nests for Pirates, were favourite topics of declamation in France, Our retention of Gibraltar and Malta, in which our numerous fleets found a home, was also a favourite topic with the ultra party. It was the ultra party only, however, which entertained those views. Moderate men in France, as well as in England, were desirous of preserving the peace of their own country, and of Europe. In proportion as they valued the well-being, the security, and the prosperity of their country (which was brought so low by the late revolution), all moderate men were anxious not to hurry France into a war. If the British Government, however, entered into an alliance with France to compel the king of Holland to accept certain terms, such an alliance would be disgraceful to this country, for it would in fact be an alliance with the violent party in France; and he was assured that at no distant period it would lead to a struggle, in the middle of which this country would be compelled to abandon the ally it had chosen, and to look to others by whom it had always been assisted. His (Sir Richard Vyvyan's) only object was, to give the Government an opportunity of explaining the course of policy adopted some months ago. That line had since been altered; but he wished not for information on that which was going forward but on what had already passed, and was concluded. So many acts of the play had been gone through, that Ministers might certainly afford some information as to the early parts of the piece. All he desired was, that the credit of this country should be maintained, and the country placed in its proper position. There were many questions connected with the subject which he declined entering into because he conceived that it would not be convenient to discuss them. In conclusion he begged to move "that an humble Address be presented to his Majesty, that he will be graciously pleased to give directions that there be laid before this House a copy of all the Protocols and other documents relating to the Conferences on the affairs of Belgium, which can be laid before this House without detriment to the public service."

Lord *Eliot* seconded the Motion. He should not follow the hon. Baronet into the subjects he had so amply discussed, but would content himself with adverting to a few transactions. From his personal observations whilst he was in the Netherlands, he could bestow a just and merited, though a warm eulogium, upon the character and conduct of the Sovereign of that country. He would beg the House to reflect, that when the kingdom of the Netherlands was created in 1814, the Belgian provinces were in the military occupation of England, Russia, Prussia, and Austria, and that these great Powers consented to give up the provinces in order to form a separate kingdom of a character that might tend to the preservation of the balance of power in Europe. Holland was no party whatever to this arrangement; for, on the contrary, she was far from being desirous of any annexation of the Belgian provinces to her dominions. Holland, in order to complete this arrangement, was called upon to make very considerable and painful sacrifices. She was compelled to give up Demerara, Berbice, Essequibo, and the Cape of Good Hope; and from the disparity of feelings between the two sections of the new kingdom, she was obliged to adopt many new institutions. But the king of the Netherlands having once acceded to the new arrangement, he had adhered faithfully to all stipulations, and had discharged the duties of a just and benevolent monarch. In the first instance, he had issued a declaration that he only accepted the sovereignty upon the condition of establishing laws which would ensure all the rights of property, and afford every security to the personal liberty of all parties. The result of this declaration was the establishing of a Commission for the revision of the laws, and the report was signed by the most eminent men who had subsequently figured in the Belgian revolution, and upon this report was founded a fundamental law eminently suited to the people. In the whole course of this sovereign's government he defied any man to produce a single instance of an individual being oppressed or punished except by a legal sentence. Persons might, perhaps, cite the case of M. de Potter, but be it remembered, that M. de Potter had been sentenced by a Belgian and not by a Dutch tribunal, and that he had twice appealed against his sentence, and in each instance the appeal had been rejected. The king of the Netherlands was the only sovereign in Europe that had never formed a body guard for the protection of his person, and the composition of his army was like that of a militia, and of which the proportion of Belgians was nearly double that of Dutch troops. No country had ever made a more rapid progress in prosperity than Belgium since the year 1814. She had enjoyed a monopoly in the supply of Holland, and had a free vent for her iron, her coal, and for all her produce, and of which she would now be deprived. The anticipations which had been formed in favour of Belgium at the period of its union with Holland had been fully realized, and the insurrection had been an act of treason which, had it been unsuccessful, would have justified the sovereign in punishing those engaged in it; but treason, they say,

> " Treason never prospers—what's the reason?
> Why, if it prospers, none dares call it treason."

The king of Holland failed in his attempt to punish this treason. A separation of the kingdom afterwards took place by the interference of the great Powers, and the first step towards this was the establishing of a suspension of hostilities, called an armistice. Belgium protested against any doctrine that would prevent a country from having recourse to arms to assert the justice of her cause. After this, hostilities were continued for two months by the Belgians, in spite of the repeated remonstrances of the King of England. Negotiations proceeded till the 27th of January, when certain bases were laid down by the Protocol of the 18th of February, which were acceded to by the king of Holland, and then, on the 19th of April, they were declared by the Conference to be settled and irrevocable. Belgium had enjoyed every advantage under this negotiation; and on the 10th of May the Conference declared, that if before the 1st of June the Belgian Congress did not accede to the same arrangement, all relation with them would be broken off, Lord Ponsonby would be directed to quit Brussels, and measures would be taken to enforce obedience. The Belgian Congress did not, however, accede to it. Various transactions subsequently took place, the Dutch insisting upon the execution of this arrangement. The Conference did not, however, enforce it; the Conference entered into new arrangements; the Conference acceded to the demands of Belgium, and on the 7th of June, to the astonishment of the king of Holland, he was informed that the arrangement was not to be enforced. Still more was he astonished when he received a new Protocol, containing eighteen articles, on the 25th of June, and found them quite different from those which he had received before. Against those last articles the minister of the king of Holland naturally protested. He published, on July 12th, an able and complete analysis of them, and exposed their inconsistency with those which had been before agreed to, and in what manner they were an unwarrantable violation of the rights of the House of Nassau. Was it then with the consent of the other Powers, that King Leopold signed the Constitution of Belgium, the provisions of which involved questions which had been considered to be already settled? In his address the eighteen articles were not alluded to, but he swore to maintain the integrity of the Belgian territory, and keep those places of which the Belgians then had possession, notwithstanding the claims of the king of Holland, and the fact that those claims were the subject of pending negotiations. He had addressed the Deputies of Luxemburg and Limburg, telling them that he was in possession of these territories, and would keep them; and thus were the rights of the king of Holland, according to the limits of 1790, totally disregarded. King Leopold even invited the Electoral Colleges of those districts to meet, and the king of Holland must have been wanting in every feeling of honour, and all sense of duty, if he had not considered himself most harshly treated by these proceedings. Under such circumstances, it was doubtful that the king of Holland could restrain the irritated feelings of his people, who saw that their country was dealt with by the other Powers, he would not say unjustly, but at least harshly. From the day that their troops crossed the Belgian frontier, that is for nine months, the Dutch had paid the whole of the interest of the Public Debt of Belgium; and in consequence of the unsettled state of the question between them and that country, their business was interrupted, and they were subjected to the expenses of a large army, and to other heavy burthens. Notwithstanding all this, when the Conference expressed its disapprobation of the renewal of hostilities, and desired him to withdraw his troops from Belgium, although he thought himself justified in the course which he had adopted, and although he had been in every instance successful, he consented to re-cross the frontiers, not wishing to incur the responsibility of bringing on a general war in Europe. But the Conference, in the mean time, employed a French army of 50,000 men, or allowed it to be employed, for the purpose of enforcing against Holland those coercive measures with which it had threatened Belgium, and of defending a population of four millions against two millions and a half. He thought that the House had a right to know what part this country had taken in those proceedings; and as King Leopold was now settled on the throne of Belgium—as his election and recognition were perfect and completed political transactions, he thought that the hon. Baronet had a right to call for any papers relating to it, and that their production would not interfere with any pending or future negotiations. The feeling of sorrow and indignation which had been excited in Holland by the treatment which that country had experienced at the hands of the great Powers, was very much mitigated by the sympathy which had been expressed towards it in this country; and he thought that a similar manifestation on the part of that House would tend to strengthen the hands of his Majesty's Ministers, and would enable them to take a higher ground in their negotiations with other Powers, in order to render due support to the ancient ally of this country, and to give up the temporising policy which hitherto they had been (perhaps) compelled to adopt. For those reasons he would second the Motion of the right hon. Baronet.

Viscount *Palmerston*, in rising to explain his reasons for declining to accede to the present Motion, was bound to do justice to the temperate, fair, and moderate manner in which the hon. Baronet by whom it was introduced, and the noble Lord who seconded it, had stated their views of the subject to which the papers called for related. The hon. Baronet stated, that his motive in making the Motion was, to give his Majesty's Government an opportunity of explaining the course which they had pursued in reference to the transactions to which the Motion referred. The noble Lord said, that as the election of King Leopold was a complete political transaction, there could be no reason for withholding papers relating to proceedings up to that period, as their production could have no effect upon pending negotiations, nor be of any injury to the country. But he was of a different opinion; and he, therefore, was not going to avail himself of the opportunity which the motion of the hon. Baronet afforded him to enter into the explanation desired. Notwithstanding the statement of the noble Lord, he would say, that the object of the negotiations with which the documents were connected was by no means a completed political transaction. The purpose with which the Government of this country had entered into the negotiation was not the election of a Sovereign for the people of Belgium, but the establishment of peace between Holland and Belgium. Until that purpose was finally attained, and peace secured, the production of the papers called for could not reasonably be expected. He should, therefore, be obliged to make but a short speech in reply to the hon. Mover, and to observe perfect silence upon the various topics which the hon. Baronet and the noble Lord had introduced. He was sure, that the House would not think it necessary for him to follow them through their examination of the arrangements determined on at Vienna, in 1815, or their defence of the king of Holland's conduct for the last fifteen years. Neither could he go into an explanation of the conduct of the Government of this country for the last eight or nine months. Whatever might be the effect which the hon. Baronet expected to produce by his charge against the present Ministry, for their conduct towards the king of Holland, and for their general management of the foreign affairs of this country, he must give the hon. Baronet the advantage of that impression, as he did not feel himself at liberty to enter into the discussion to which the hon. Baronet was desirous to lead him. If he was obliged to decline a discussion of the past conduct of the Government in those transactions, still less would the House expect him to follow the noble Lord into his anticipations of their future policy. Whether Belgium was or was not to possess Luxemburg, and whether or not the possession of Luxemburg would connect Belgium with the Germanic Confederation—were questions which he would not then discuss in that House, and he was sure that the House would excuse him from entering upon them. He thought, that the course which had of late been followed regarding negotiations, in which his Majesty's Government were still engaged, was at variance, not only with the usages of Parliament, but with the principles of the Constitution. In his view of the Constitution, he apprehended that the making of war and peace was one of the prerogatives of the Crown, and that, therefore, the discretion of conducting negotiations was vested in the King. So long, therefore, as that House placed confidence in the responsible advisers of the Crown, it was bound not to take out of their hands the management of negotiations involving the question of war or peace, by summoning them, as it were, to the bar, to answer for their conduct in respect to negotiations still pending. It had often been asserted, that one of the consequences of the Reform Bill now in progress through Parliament would be, that the Crown would be shorn of its prerogatives; but he thought that nothing that might be attempted by Representatives of Birmingham and Manchester could strike more at the necessary prerogatives of the Crown, than the course followed by the hon. Baronet, the champion of the Anti-Reformers, who, during negotiations of the greatest importance, not only to this country, but to all Europe, would not wait until these were brought to a conclusion, but insisted that the Government should disclose at a moment of great difficulty all that they had hitherto done in respect to them— all that they were doing —and all that they meant to do; and called on them to consult with him as to the course they should pursue. Under these circumstances, and for the considerations which he had explained, he objected to the Motion, and was bound to decline entering further into the discussion.

Mr. *O'Connell* said, that although he could not remain silent in the present discussion, as he had been so distinctly alluded to by the hon. Baronet (Sir Richard Vyvyan), yet he would not delay the House by giving full expression to his sentiments respecting the conduct of the king of Holland, whom some hon. Members still vainly called the king of the Netherlands. The hon. Baronet was not content with an attack upon the Belgian people, but had gone out of his way, for the sake of attacking him (Mr. O'Connell); and had connected him with what he was pleased to call, the left wing of the army of revolution in Dublin. That should not provoke him to say much of the tail of a certain faction in England, further than to remind the hon. Baronet that the politics of the Reformers had the sanction of almost all the counties of England, while those of the hon. Baronet himself had only the approbation of seven counties. When the hon. Baronet sat in that House the Representative of a large county, which had since rejected him for his politics, he was supported by a majority of the county Members of England. Where were they now? The hon. Baronet looked like—

> "The last rose of summer left blooming alone,
> His lovely companions all faded and gone."

If the politics of the hon. Baronet had been approved by the people of England, he would not have lost his seat. His politics had driven the hon. Baronet from the high station of a county Representative to take refuge in a rotten borough that was very properly placed in schedule A. For his part, he had certainly endeavoured to defend the Belgians from the calumnies which he had heard uttered against them; and, indeed, when the hon. Baronet attributed the Revolution of July to the Jesuits, he would undertake to defend them too, if the charge were such as to render their defence necessary. He would not defend the Jesuits whenever they engaged in national politics, nor when they were accused of conspiring to overturn the Throne of Charles 10th; that was indeed a discovery reserved for Tory genius, and that might be a defence against the hon. Baronet's own accusations. Hopeless as the task of defending them might appear to others, he would defend them on the ground of their exertions in favour of literature, science, and civilization, and for the relief of suffering humanity. He had given the best proofs of his confidence in them, for he had four sons, and they had all been educated by the Jesuits. But to return to the king of Holland. The hon. Baronet and the noble Lord complained, that the king of Holland was called a tyrant; but he would ask, why were the Belgians called rebels? They had been subjected to Holland without their consent, and a Constitution was forced upon them which they had rejected. The Belgian Notables, chosen by the king himself, rejected the Constitution by a majority of 796 to 527; but that notable king decided that 527 was a majority, and 796 the minority. He next loaded them with a share of the Dutch Debt, and taxed every thing to pay the interest. Distillation was taxed, cutting wood was taxed, grinding corn was taxed, the slaying of cattle was taxed, the meat was taxed in the markets, the corn was taxed as it grew, the bread was taxed as it was baked—in short, every article consumed by a people who owed nothing, was taxed to pay the debts of a people who owed much; and yet, for resisting this, they were called rebels, and the Power that thus robbed them is lauded in an English House of Commons. These facts were tolerably conclusive, but they afforded a small sample only of the blessings of Dutch domination. What next did this wise and benevolent monarch do to confirm his claims upon the allegiance of the Belgians? Why, previous to their union with Holland, they had trial by Jury, and that inestimable right he abolished. What would the people of England say to those who called that man a wise and benevolent monarch who deprived his subjects of the right of Trial by Jury, and afterwards passed a law that witnesses should not be publicly examined or confronted with each other, in all cases in which the crown was concerned? But he did not stop there. He annihilated the liberty of the Press; placing a twice-convicted forger and galley slave at its head, and this person had made 25,000*l.* by libelling the Belgians in subserviency to Dutch prejudices alone. Much as had been said about the sedition of De Potter, it was to be remembered that he was condemned, not by a Jury, but by Judges nominated by the King, and liable to removal at the King's pleasure—not upon examination of witnesses in open Court, but after the confronting of witnesses had been abolished by law; and even then, the King was obliged to abandon the charge of libel, and to copy an example which had been held out to him in this country—to prosecute men for a conspiracy, when no definable offence could be charged upon them. A law had been procured, subjecting to various penalties—from six hours' torture with the collar, to the punishment of death, a writer who should publish anything tending to disturb the existing order of things. Under that law thirty-two prosecutions were instituted in one day. He wondered how the ex-Attorney-general for England was pleased at being so outdone. How his mouth must water! However much the Tories of England might be pleased with the conduct of the Dutch king so far, he scarcely supposed, that their admiration was quite so great of his treatment of the placemen, whom he displaced. He did not give them retiring pensions—he did not leave open to them any such refuge for the destitute as displaced Tories were said to find here. No, he made them outlaws—he deprived them of all civil rights. Surely the Tories would not praise him for that. He forbade to the Belgians the use of their own language. He ordained that the man whose fathers had spoken no other language than French, and who himself understood no other language, should plead in Dutch, of which he knew not a word, should petition in Dutch, and make his will in Dutch. The Belgian lawyers too were required to plead in Dutch, of which language they were, for the most part, wholly ignorant; and, as might be expected, a great number of them were compelled to retire from their profession. In the appointment of the Crown officers of almost every description, the preference was always given to the Dutch. In one department, out of 100 Officers, eighty were Dutch; in another out of thirty-nine, no less than thirty individuals were of the same nation, and of General Officers in the Army, forty-eight were Dutch, and eight Belgians. The same tyranny was exercised, as regarded education. No school, in fact, could be allowed without a Royal Act. The King not only obstructed in various ways the education of the Catholics, but he interfered with their religious institutions. He obtained from the Pope a veto in the nomination of the Catholic Bishops; and he made such a use of that power, that at the time of the Revolution there was only one Bishop. But the King not only abrogated the rights of the people—not only revoked the Constitution, into the acceptance of which he had swindled them—but he, being a King, entered largely into trade, established a brewery in one place, a sugar refinery in another, trafficked in the funds, and became the largest monopolist in his own dominions. What would be thought of a King of England engaging in such pursuits? In addition to these, all public establishments were transferred to Holland. Even the mine companies were transferred to that country, though he believed not one mine existed in Holland; and, last of all, while the Belgians were called upon to pay their full share of the expense of the army, they were not allowed to hold one third of the officers commissions. To be a Dutchman, was to be a master; to be a Belgian, was to be a slave. After the first revolt how did the King behave? Why, he got the Belgian Deputies over to the Hague, and whilst they were treating for the separation of the two countries, he marched his army against Brussels, and gained the advantage of shedding some Belgian blood, before he was again compelled to betake himself to an ignominious flight. He viewed with unconcern any question about opening a letter this day or that, when he recollected the treachery with which the king of Holland marched that army into Belgium, and the joy he expressed at his temporary success. What, in brief, had the Belgians to thank him for? He swindled them into the acceptance of a Constitution he did not himself observe, he loaded them with debt, he pressed them down with taxes, he abolished the Trial by Jury, he abolished the public examination of witnesses, he made the Judges dependent on the Crown, he introduced that greatest badge of slavery, a foreign language, into the public business and courts of justice, he persecuted the press, he interfered with education, and he trampled on the religion of his people. Yet this was the Sovereign the Tories of England praised and admired; let them continue to praise him.

Mr. *Trevor* could not regard the French army now in Belgium in any other light than as an army of occupation, and regretted, that the noble Lord had not been more explicit as to its true object and character. It was no answer to say, that the king of the French had pledged himself to its returning, on the retirement of the Dutch troops beyond their own frontier; for though he gave that monarch credit for sincerity, he was only the puppet of a revolutionary faction, and had not the power to redeem his pledge, however personally inclined—in fact, had no will of his own, under the present circumstances of his nominal kingdom. The duchy of Luxemburg was guaranteed to the king of Holland, and yet it had been proposed to take it away. This was a conduct which he was sure an English House of Commons would never sanction. He regretted, therefore, that the noble Lord should not be ready to give the House all the information which had been demanded by the hon. member for Okehampton.

Mr. *Baring* was fully aware of the great delicacy and difficulty of the negotiations in which the noble Foreign Secretary had been for some time engaged, and of the great sobriety and caution necessary to their successful termination, particularly when the excited state of the public mind of Europe was taken into consideration; but still he thought, that the noble Lord might be more communicative than he had been with respect to these negotiations. He would not then enter upon a discussion of the respective merits of the king of the Netherlands, and the Belgians, in the transactions which had led to the separation of the latter into a separate kingdom, but only observe, that in his mind the hon. and learned member for Kerry had been influenced in the selection of his topics, so condemnatory of the personal conduct of the head of the House of Nassau, by considerations other than those merely political. He feared there was a leaven of religious animosity in the hon. Member's statement. Be that as it might, he was sure that to any body of Englishmen, it would be idle to address vituperative assertions concerning the House of Orange, a House to which not only England, but Europe, indeed, the world at large, was more indebted for its services on the score of religious and civil liberty, than any other in existence. If the present monarch was a tyrant and a bigot, he certainly was the first of his family. He repeated, he was convinced that the hon. and learned Gentleman, in repeating the now almost threadbare calumnies of a certain party against the House of Nassau, was not altogether under the influence of political motives. He had himself resided some years in Holland, under the government of the then Stadtholder, and could take it upon him to inform the hon. and learned Gentleman, that in no country in Europe was the administration of justice more pure: he would go farther, and say, that he should prefer to have his cause tried in a Dutch court, to not only an Irish court —that indeed would be the last any man in his senses would just now think of entering—but to any court of justice with which he was acquainted in any part of the world. Indeed, he felt satisfied in his own mind, that the assertions of the hon. and learned Gentleman, with respect to the mal-administration of justice in Holland—and the hon. and learned Member would excuse him for saying so—would on inquiry be found to be monstrous exaggerations, if not actually a gross calumny. One fact spoke for itself—the king of Holland possessed the affections of his Dutch subjects to a degree of popularity hardly rivalled in Europe. He would not then enter into a discussion on the merits of the question of the separation of Holland and Belgium. He had admitted the great difficulties by which it was surrounded; indeed, had Ministers received a *carte blanche* to effect the most easy mode of separation in their power to devise, the separation would still be a matter of great difficulty, apart from the clashing interests of the case. With respect to the prosecutions of the Press, to which the hon. and learned Gentleman had alluded, he was bound to say, that up to the accession of Charles 10th, the Press of Holland was the freeest on the continent of Europe; indeed, quite an eye-sore to some of the neighbouring courts of legitimacy. As to those great and meritorious persons who had been set up as ill-treated patriots, he should like to know what had become of De Potter and Van Halen? They were the great heroes of the revolution, but they had been expelled from their posts, if not from the country, by the revolutionary party itself. When, therefore, the conduct of the king of the Netherlands was described as violent and tyrannical towards these men, it ought to be ascertained whether this De Potter was not a man so extremely impracticable—so much of what we should call a radical in his way of thinking—that no party in any country could long agree with him. The other, Mr. Van Halen, who fought with the Dutch troops, and beat them, had since been obliged to leave the country for some offence he committed. If, therefore, anything were wanted to justify the king of the Netherlands with respect to these persons, the treatment they had since experienced from their own party would be sufficient. He agreed with the hon. Baronet, the member for Okehampton, that the origin of the troubles in Belgium was religious, and was fomented by the ultramontane party in France, but these troubles afterwards took a democratic turn, and operated against the religionists themselves. What, however, the House had really to do with was, the position in which this country would be placed by the arrangement of the Conference of London. He knew not what was the tone or matter of the discussions of the

Conference which had formally effected the separation of Belgium into an independent kingdom, but this he would say, that it was idle to suppose, in the present agitated state of the public mind of Europe, that any Conference could establish and secure an independent kingdom between the French and Dutch frontiers. The thing was an impossibility, without taking into consideration the well-known maxim of French policy, that no kingdom could lie between France and the Rhine. A man with the talents of Napoleon himself, if placed upon the throne of Belgium, would not be able to protect it against France. He, therefore, argued, that all the efforts of the Conference must have recently been made in a wrong direction, and he thought that even Ministers themselves must be convinced, that they had not obtained their object in their attempts to raise a barrier between the French and the Dutch provinces. He was not going to enter into the moral question of such an arrangement—on that he studiously avoided venturing an opinion; but it was his conviction that, in a political sense, it would have been a better arrangement to have divided Belgium among the surrounding States, than to have left it, as it was at present, with a mock sovereignty and a nominal independence. It would have been a far better security for Holland against the aggressions of France, than the formation of Belgium into a separate and independent nation; a nation, too, that could not contend even against the Dutch. In using this last expression, let it not be supposed that he intended to cast any sneer upon the Dutch, for a braver people than the Dutch was not, he affirmed, to be found in Europe. He contended that they would have had a better security against France, in uniting to Holland that part of Belgium which, in laws, in language, and in feeling, belonged to Holland, than they would have by forming the different parts of Belgium into a mock sovereignty. He meant by this, that if they had left Antwerp, and the line of the Scheldt, and the country along the Maese, up to Maestricht, in the possession of Holland, they would have left Holland in a far better state of defence against France, than that in which she would be placed by the present arrangement. By giving Antwerp and Maestricht to Holland—by giving the duchy of Luxemburg to the Germanic Confederation, to which it formerly and historically belonged—and by giving the provinces which bordered on France to that country, they would, in his opinion, have created a system of greater security for the tranquillity of Europe. The provinces which bordered on France, Tournay, and Mons, for instance, were French in feeling—the country from Antwerp to Ostend was, to his knowledge, as decidedly Dutch in feeling; and he believed that in the duchy of Luxemburg, with the exception of that feeling which had been recently excited by Belgian agitators and French propagandists, there would be no difficulty in uniting it with some of the Powers of Germany. Had the Conference, he would ask, gained any thing by pursuing a different system? When they had driven the king of Holland out of Antwerp, and taken from him the command of the Scheldt, how long would he be secure in the possession of his Stadtholdership?—for it was folly to talk of his kingdom, now that they had erected a sovereignty in Belgium, for France to walk over whenever she pleased. By such an arrangement as that which he had proposed, all parties would have been quieted; but what was the case now? France remained under the impression that Belgium, at some time or other, must still belong to her. If the noble Lord could get the army of Marshal Gerard out of Belgium, which he admitted would be a great act, almost a master stroke of diplomacy, still, supposing the noble Lord should be able to do that, of what value must the tenure of that sovereignty of Belgium be, when it could be encroached on, if not destroyed, by France at any moment she pleased? When they gave France the command of the fortresses on the Belgian frontier, as he was afraid that they had done already—when they gave her the means of occupying Antwerp—they placed her in a situation which gave her the command not only over the navigation of the Scheldt, but also over the whole of Holland. Now, if they had given Antwerp and Maestricht to Holland, they would have formed Holland into a Power, not, perhaps, capable of resisting France successfully by herself, but capable of resisting France until the rest of the Powers of Europe came to her aid, if any of them were inclined to join in her quarrel. Undoubtedly the arrangement made by the Treaty of Vienna for the union of the two countries of Holland and Belgium was not satisfactory; but still, with all the knowledge which they had since derived of the subject from experience, he must say, that it would have been matter of extreme difficulty to have made any other. Would any Statesman have recommended the giving up of Belgium to France? If not, would any Statesman have recommended the establishment of such a mock sovereignty as was now about to be erected in Belgium? If neither of these courses were to be pursued, then the wisest thing to be done was, to make that experiment of an union between the two countries which had so unhappily failed. The course which he had ventured to suggest, as that which, politically speaking, would be most advantageous, had also this advantage—that it would not only be in accordance with the interests of the five Powers, but also in accordance with the interests of the Belgians themselves. No man would deny, that in every political arrangement, the interests of the people of whom you were disposing ought to be consulted. There was now a great nation looking upon Belgium as a prize, of which they could make themselves masters at any time they pleased. Belgium, a weak country, would have a still weaker country behind it, and that weaker country animated with all the rancour of a discarded friend. Now, in the range of country situate between Ostend and Antwerp, there was a large manufacturing population, which, under the new arrangements, would not have any outlet for their manufactured produce; for the Dutch on the one side, and the French on the other, would not let the manufactures of Belgium enter into their respective territories. Hon. Gentlemen might perceive the distress which this state of things must inevitably create, if they would only consider the state to which Manchester, and Birmingham, and Sheffield, must be reduced, if a wall were built around those towns, and nothing permitted to pass beyond it which had been manufactured within it. The provinces which ought naturally to have gone to Holland, contained the towns of Antwerp, Ghent, and Ostend, all which towns were places of commerce, had formed connexions with the colonies of Holland, and were anxious to retain them. Hence it was, that during all the excitements which had recently prevailed, those three towns had always been desirous of being united with the Dutch. He was convinced that no peace would prevail, either in Belgium or in Europe, until some such arrangement as that which he had taken the liberty of suggesting was carried into effect. The military feeling of France was such, that unless a Conference was perpetually sitting, and Protocols were daily passing from hand to hand among the great Powers—and even Conferences and Protocols might at last become of no avail—the French government would be compelled to overrun Belgium, and then that new kingdom would turn out to be a mere cobweb. He could not hear this question discussed without stating his opinion, that the arrangements now in progress would, when concluded, be found impracticable and insufficient for the object which they were intended to accomplish.

Mr. *Hume* expressed his regret, that he should have lived to see the day on which a Member of a British House of Commons dared to rise in his place to advise the partition of an independent nation. The argument which the hon. member for Thetford had just used, was the same argument which had been used by the unprincipled despots who had perpetrated the atrocious partition of Poland. He trusted that the doctrines which the hon. Member had that night advanced would not find many supporters in that House; for what had been the course of the hon. Member's arguments? First of all, he had approved of the Treaty of Vienna, which united two nations in a political marriage without asking the consent of either party; and then he had concluded by proposing to partition Belgium among the surrounding States, under the stale plea of preserving the tranquillity of Europe—the very plea which had been urged in the case of the atrocious aggression on the independence of Poland. The hon. Member had then proceeded to express his disbelief in the statements contained in the eloquent and masterly speech of his hon. and learned friend, the member for Kerry. Now he would undertake to say, from his own sources of information, that although the statements of his hon. and learned friend might be exaggerated in some respects, there was not one of them which was not founded in fact. His hon. friend had not said that the king of Holland was a bad king for Holland, he had only said, that he was a bad king for Belgium; and the very defence which the hon. member for Thetford had set up for that Monarch—namely, that he was a good king for Holland—was by no means inconsistent with the fact of his being a bad king for Belgium, if it were true, that he had placed none but his own countrymen (the Dutch) in all places of trust, honour, and emolument, in Belgium. He denied, that the people of Belgium were the fickle, unprincipled, and discontented people which the hon. Member had sought to represent them. He was as much mistaken in his facts, as he was in the arguments which he had deduced from them; for De Potter had not been expelled from the government which he had formed for his countrymen, nor had Van Halen been sentenced to imprisonment for his successful defence of Brussels. On the contrary, De Potter had voluntarily resigned his office, and Van Halen was now in the receipt of a liberal pension from the people he had defended. In conclusion, he expressed a hope, that the House would not go along with the hon. member for Thetford in his extraordinary plan for the partition of Belgium.

Mr. *Baring* explained, that he had expressly put out of view the morality of the arrangement which he had proposed—he had only spoken of its political advantages. As there were parts of Belgium which, in interests and feelings, were essentially French, and other parts with feelings equally Dutch, and as all experience had shown Belgium was not likely to maintain itself as an independent kingdom, it was an open and fair question, whether it was not the better for all parties that a division should be made.

Sir *Robert Peel* was not at all surprised that his hon. friend, the member for Oakhampton, should think, that the time was at length arrived when it was fitting that the House of Commons of England should have its attention drawn to the state of its foreign policy. He was not surprised that at a period when the popular assembly of every country in Europe which possessed a popular assembly, had its attention exclusively directed, not to the changes to be made in its constitution, but to the momentous circumstances which threatened the independence and the tranquillity of Europe;—he was not surprised, he said, that at such a period—when the ministers of other Powers imposed upon themselves no reserve, either as to their own intentions or the intentions of other nations, an independent Member of Parliament, contracting no official responsibility, and labouring under no official obligations, should think, that the time was at length arrived in which it was incumbent that the only popular assembly in Europe silent on such interesting topics should not be the British House of Commons. No doubt, premature disclosures were liable to many objections, but complete indifference, perfect passiveness, and utter silence, were also liable to still greater objections. From such a course of proceeding, there might be presumptions drawn, which were false and unfounded—as, for instance, that we were silent because we were indifferent to the drama now transacting in Belgium. The position in which he stood upon this subject, was rather different from that occupied by his hon. friend, the member for Oakhampton. His noble friend, the Foreign Secretary, acting upon his responsibility as a Minister, declared, that he was precluded by paramount considerations of duty from entering into any discussion upon this subject. His noble friend had stated, that whatever might be the suspicions which hon. Members might entertain as to the course of policy pursued by his Majesty's Government, whatever might be the imputations cast upon it, and whatever the arguments on which those imputations might be founded, he was precluded by a sense of duty to his country from entering into any discussion, and even from vindicating himself against any charges which might be brought against himself personally. If his noble friend thought, that at this critical moment all discussion should be avoided, his noble friend was justified in avowing such to be his opinion, and in taking his determination accordingly. If his noble friend told him, that the time was not yet come in which he could vindicate himself from the charges of his opponents, without making disclosures which might prove injurious to the public service, then, as there would be something ungenerous in making such charges against him, he would bridle in his own feelings, and abstain from calling for certain explanations, which he thought his noble friend ought, under other circumstances, to be called upon to give. Whilst he abstained from making such charges, he was bound, in justice to himself, to say, that in the whole of the annals of England never was there a case which so imperiously demanded explanation—never was there a series of transactions on which, at a period when the members of his Majesty's Government should be released from the obligations of secresy, it would be more incumbent upon them to vindicate themselves from the charges which had been brought against them. He could not forget, that there was, in support of the statement of his noble friend, the peculiar hour, the critical moment, at which this discussion was taking place. His noble friend had complained of the numerous questions which had been put to him from the Opposition side of the House, on the subject of our foreign policy. They originated in an anxious desire to promote the interest and the honour of the country, not in any desire to embarrass the Government [*a laugh from an Hon. Member on the Ministerial benches.*] The hon. Gentleman who smiled at this observation, might have unlimited confidence in his Majesty's Government; he might not think it necessary to put any question to his Majesty's Ministers; but it never was the practice of Englishmen, at moments like the present, to shrink from seeking such information from the Government. Did the hon. Member think, that at a moment when the king of France had declared, in the speech with which he opened his Chambers, that the tricoloured flag was floating on the walls of Lisbon—at a moment when the French army was occupying the fortresses in the Netherlands—at a moment when, according to appearances, the only signs of military activity on the part of the British Government were directed against its two most ancient allies, Portugal and Holland,—did the hon. Member think, that such was the moment at which men who were anxious for the interests, and still more anxious for the honour, of England, were to be precluded from seeking information from his Majesty's Government? His Majesty's Ministers had always a right—and he did not mean to find fault with them for exercising the right—to refuse an answer to the questions which might be put to them [*a cry of "Order, order."*] The hon. Gentleman gave him an interruption, by his repeated calls for order, far more annoying than the disturbance of the Gentlemen whom he wished to control.

Mr. *Hume* rose to order. It was not his hon. friend that had created this interruption; it was the cheering of some of the right hon. Baronet's friends, who were then sitting around him.

An *Hon. Member*, seated just below Mr. Hume, likewise rose to order. He felt it necessary to state, that the disorder had been occasioned by the proceedings of the hon. Alderman below him, the member for the city of London.

Mr. Alderman *Wood* rose to contradict the assertion which had just been made. He had interfered because he had heard an hon. Member say, with an oath, that "such language never yet came out of the mouth of man."

Sir *Robert Peel* would feel obliged to hon. Members if they would replace him, without further delay, in the place in which he was before the interruption. He had been stating, that his Majesty's Government had a right to refuse an answer to any question, an answer to which would be injurious to the public service, but then it must not be inferred, that because a question was put, it was put from a desire to embarrass the proceedings of Government. What was the moment which his hon. friend had selected to put his question? It was the moment when France was occupying a part of the fortresses of Belgium. Whatever anxiety and alarm that occupation was naturally calculated to excite, he had heard, with the greatest satisfaction, the statement of the foreign Secretary—a statement which he had not yet heard contradicted or qualified, and which he hoped would be verified in fact—namely, that the Government had received assurances and engagements from the king of France, on which they could rely, that on the withdrawal of the Dutch troops from the Netherlands into Holland, the French troops would also be withdrawn from Belgium into France. That, he understood, was the answer given on a former evening by his noble friend, the Foreign Secretary, to a question which had been put to him by the member for Oakhampton. He trusted, that there would be no necessity to qualify that answer hereafter; but such being the answer of his noble friend, he was convinced that the period was so critical as to afford strong presumptive confirmation for his noble friend's declaration, that he was precluded from entering into any discussion. At a period so critical there was no medium between no discussion and discussion the most ample. He should, therefore, follow the example of his noble friend, and abstain from pressing questions to which an answer could not be conveniently given. He should not follow his hon. friend near him (Mr. Baring) into the consideration of the policy which was adopted towards Belgium and Holland in the treaties made at Vienna in the year 1815, nor of that which his hon. friend fancied ought to be pursued towards them now; for he could not enter into that discussion without transgressing the principle which he had just laid down. Even if this were the time for entering into it, he (Sir Robert Peel) should not have thought it necessary to inquire into the conduct of the king of Holland towards his Belgian subjects; for though he conscientiously believed, that the conduct of the king of Holland had been universally animated by a desire to promote the prosperity and happiness of Belgium, and that, for the fifteen years of his rule, the inhabitants of Belgium had enjoyed a degree of prosperity, liberty, and independence which they had never enjoyed at any past period of their history—yet, as a separation had been decided on between them, and as any attempt to re-establish the union between them would be impracticable, in consequence of all the Powers of Europe having concurred unanimously with Belgium and Holland, that a final separation should take place between them, he did not see any necessity for arguing on this occasion respecting the conduct of the king of Holland. He would avow, at once, that he placed no confidence in the statements of the speech of the hon. and learned member for Kerry. He considered him as a prejudiced, a most prejudiced witness. He recollected the attempts which had been made by that hon. and learned Member to effect a similar separation between two other countries nearer our own homes.

Mr. *O'Connell:* "No."

Sir *Robert Peel:* The hon. and learned Gentleman said, no:—why, had not his war-cry for some months past been for a Repeal of the Union between Great Britain and Ireland?

Mr. *O'Connell* admitted, that he had advocated the Repeal of the Union, but not the separation of the two countries.

Sir *Robert Peel:* The Repeal of the Union then was admitted. Why, all that he had charged the hon. and learned Gentleman with was, that he had made attempts to dissever the Union now happily existing between the two countries; and when he heard the members of his Majesty's Government cheering the hon. and learned Gentleman, and rejoicing in the success of the attack which he had made on the king of Holland, he (Sir Robert Peel) could not help recollecting, that those very Ministers had vindicated their renewal of the Yeomanry force in Ireland upon the principle that the hon. and learned Gentleman was attempting to repeal the Union. How did he know, that the details into which the hon. and learned Gentleman had entered were correct? Had he not heard the hon. and learned Gentleman speaking of facts which he stated had occurred in Ireland within the last fourteen days, and declaring that an officer of the Crown had publicly avowed, that he had received instructions in some late prosecutions, to challenge every Roman Catholic or liberal Protestant who might be called to serve on the Jury? A more grievous charge against a Government could not be made; it was an accusation of interfering with the pure course of justice; but as soon as he heard it, he declared his conviction that it was, as it had subsequently proved to be, utterly without foundation. If the hon. and learned Gentleman could in one case state that which he believed to be true, but in which the hon. and learned Solicitor General for Ireland had proved, by incontestible documents, that the hon. and learned Gentleman was misinformed—if the hon. and learned Gentleman was so imperfect a witness on circumstances occurring so lately in Ireland, and in the profession, too, to which he himself belonged—might not he infer, that his statements of what occurred in a foreign country were, to use the phrase of the hon. member for Middlesex, all facts, but much exaggerated?

Mr. *Hume* asserted, that he had not used the words "much exaggerated," he had only said "highly coloured."

Sir *Robert Peel* persisted, that the words used by the hon. Member were "much exaggerated." He recollected them well. The hon. Member said "much exaggerated," but he would take the version which the hon. Member now gave; for it would suit his purpose equally well. What a miserable dispute was this about words! As if a high colouring was not a statement by which a false impression was given to facts which were admitted to have occurred! But, said the hon. member for Middlesex, "There is not a word in the speech of my hon. and learned friend, the member for Kerry, from which it could be inferred that, though he deemed him a bad king for Belgium, he deemed him a bad king for Holland." Why, what a notion must the hon. Member have of regal qualifications, if he could suppose a king, acting on the principles imputed to the king of the Netherlands, could be a good king for any country. The hon. and learned Member, however, not content with his observations on the king of Holland, had thought proper to taunt and insult him and his late colleagues: and had called that side of the House where they were seated the "Refuge for the destitute!" What right, what ground had he to apply to them those taunts and insults? They might have been driven from office, and some of them might feel the loss of its emoluments, but there was not one amongst them who would have condescended to repair his shattered fortunes by wringing a contribution from the pockets of the wretched peasants of Ireland. They had taken no course in their public life which ought to have exposed them to the taunts and insults of the hon. Member. They had never acted in defiance or evasion of the laws, and made that defiance or evasion turn to their own personal interest and profit. They had abstained from offering any insults to the hon. and learned member for Kerry, and there were circumstances in his own case, of a personal nature, which ought to have prevented him from offering insults to others as unprovoked as they were undeserved.

Mr. Alderman *Wood* rose to exculpate himself from the charge of interruption, which did not come from him, but from the hon. member for Haslemere near him, who had used expressions which were too vulgar for him to repeat. He always liked to keep persons like those on the anti-reform side, who studiously introduced every subject but the right one, to the question really before the House, and that was the only interruption he was ever guilty of.

Mr. *O'Connell* explained. He wished to set the right hon. Baronet right as to a fact. The statement to which he had alluded as made by him had been first made by the hon. member for Kilkenny. The hon. and learned Member was prevented from proceeding in his remarks by cries of spoke.

Mr. *Hunt* said, that the real question was, whether we were to have peace or war? and he did not think, that what they had heard for the last half-hour, and the attack made both on the king of Holland and the king of the French, had anything at all to do with the subject. Certainly the attack of the hon. Baronet who made the Motion, and his calling the Belgian army bullies and braggadocioes, could have no tendency to promote peace. To be sure the hon. member for Thetford had called King Leopold the mock king of Belgium; but, at all events, it was upon his invitation that the French army had gone to that country; and it was well they had, or the Dutch would have overrun the whole country. Gentlemen talked of showing a bold front; but did they want a war with France? If they did, they were mistaken, for nothing could be more unpopular in this country; and he would tell the hon. member for Thetford, who had so highly praised the king of Holland, that if we were to have a war, the rich, and not the poor, must pay for it.

Sir *Richard Vyvyan* said, he had not deviated from the subject of his Motion for any purpose of introducing the name of the king of the Netherlands; but as that Monarch had been abused, he thought it right to express the sentiments which he entertained of the character of that distinguished individual, who he thought had been unfairly attacked. It was stated, amongst other alleged grievances of the Belgians, that they had been made to pay for a debt contracted before their union with Holland, at which time it was said that they had no debt; but a reference to treaties would prove the fallacy of this statement. He was as much an enemy to war as any man, but he thought that the best way to preserve peace, particularly in these critical times, was to put on a bold front, and to assume that commanding attitude which this country was entitled to take. He had not attacked the government, or the king of France; but he saw that there was a small, but formidable party, behind that government, that were urging it on to acts which might disturb the present tranquillity, and plunge all Europe into a general war. He did not wish to embarrass Ministers, and he could not see, that he had taken an ungenerous advantage of them in bringing forward his

Motion. In consequence, however, of what had been stated by the noble Lord, he would not press his Motion.

Sir *Robert Peel* hoped his hon. friend did not for a moment suppose, that he had meant to question the propriety of bringing forward the Motion; he only meant to say, that Ministers were justified in withholding any documents the publication of which might be of inconvenience to the public interests.

Motion withdrawn.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—TWENTY-SIXTH DAY.] Lord Althorp moved, that the House resolve itself into a Committee on the Reform of Parliament (England) Bill.

On the question that the Speaker do leave the Chair,

Mr. *Kenyon* spoke as follows:—In rising, Sir, to submit to the decision of this House the claims of the principality of Wales, and to offer to their consideration a brief statement of the facts on which I rest those claims, I hope I may be allowed to intreat the indulgent and impartial attention, both of the supporters and opposers of this Bill; and, Sir, I cannot forbear expressing my regret, that his Majesty's Ministers, having introduced a measure into this House, effecting a change in the Representation of the people, so comprehensive in its character, and so extensive in its operation, should not have thought fit to concede this as an act of grace, which I now demand as a claim of right. Before, however, Sir, I call the attention of the House to the more minute details which form the basis of this claim, I feel that some apology is due from me to those Members for the Principality of Wales, who, from their weight and standing in this House, from their established character and superior talents, have a prior right to stand forward in behalf of their country, as by their greater abilities they have a better chance to insure success. But I trust, that whether in a reformed or unreformed House of Commons, a too eager desire to evince attachment to our native land, a too ardent zeal to promote the wishes of our fellow countrymen, will always carry with it its own vindication. Linked to my country not more by an enthusiastic admiration of her loveliness, than by a warm attachment to the generous feelings of her sons—bound to her by every tie of private affection—by every fond remembrance of past hours of happiness—it must always be to me a source of proud gratification, that the first time I have ventured to obtrude myself on the attention of this House, I appealed to them in the name of my country. I rise, Sir, in the name of an ancient nation—I rise in the name of a loyal people, to express their perfect confidence, that in a measure which extends to every class of his Majesty's subjects, and to every part of the British Isles, a larger share of direct Representation—they alone shall not be passed over with the slur of neglect—they alone shall not be treated with unmerited indignity. I ask, Sir, nothing which militates against the principles of this Bill; I ask nothing adverse to any expression of popular opinion; I ask for no violation of chartered privileges, for no confiscation of ancient rights—I ask for the Principality of Wales (should the House ultimately sanction this, which I must still consider as a wanton act of spoliation), that additional Member for each one of its counties, which is enjoyed even by the meanest county in England. It is somewhat difficult to define the precise ratio which would seem to entitle the counties in England to any given quantity of Members; but arguing from analogy, and adducing as instances those counties which have their Representation altered or amended by this Bill, and which, therefore, may be presumed to have a fair and not an undue proportion, I think I can convince the House of the justice of my claim. The county of Westmorland, having had its ancient borough of Appleby disfranchised, but being considered by its population to be entitled to return two Members for the shire, and one for a borough, had a Member allotted to Kendal; the population of Westmorland was, in 1821, 51,359, and this, therefore, is declared by this very Bill to be a sufficient population to possess the right of returning three Members. Now the county of Carmarthen has, by the same census, 90,239; Carnarvon, 57,958; Denbigh, 76,511; Flint, 53, 784; Montgomery, 59,899; Cardigan, 57,784; and yet these counties have only one Member each for the borough, and one Knight for the Shire. And when the House looks at the population of Monmouth and Huntingdon, and at the Isle of Wight with 35,000 inhabitants enjoying three Members by this Bill, I am sure they will recognise the justice of this claim, even for the smaller counties. I do not think, Sir, it will be necessary for me to recapitulate to the House all those many lucid and powerful arguments which we heard on a preceding night in favour of the advantages of a double Representation; but, in addition to the preservation of the peace and harmony of neighbourhoods—in itself an object of no insignificant importance—it has a tendency to check that most pernicious practice of subdividing property into innumerable petty 40*s.* freeholds, and thereby creating an artificial population. And this is a practice by no means confined to the resident gentry, or the larger proprietor, who know too well the baneful effects of a large pauper population—but is chiefly prevalent among the smaller proprietors; who, being in perpetual expectation of contests, are anxious, by this species of influence, to gain that station in the county to which their property would not entitle them. I can assure the noble Lord this is no hypothetical case, it is an actual, existing, and increasing evil. I cannot help considering, that even this small addition to the Members for counties would of itself be an improvement to this measure. By this Bill the number of Members for counties in England and Wales will be 157, while the Members for towns will be more than double that number. Sir, the landed interest is the most vital and permanent interest in the State; it is the basis of our national character, of our national opulence, and of our national independence. Trade and capital may make themselves wings and fly away either to a foreign or a hostile clime; every change in our foreign relations, every shock to our commercial credit, every wind that blows may check the buoyancy of their career; but the landed interest is inherent in the soil—growing with our growth, and prospering with our prosperity; and it is the reviving essence, and the re-invigorating principle amidst all depression. That the interests of all classes are identified I admit—that their feelings are identified I deny. It is an error to assume, that reason and judgment will control passion and prejudice; every contested election in this empire, every division in this House, every man's own conscience, will prove to him the fallacy of this assumption; and, indeed, it is one of the chief excellencies of a popular assembly, that by the infusion of these opposing feelings, deliberation becomes not a matter of choice, but of necessity. I am afraid I have already trespassed too long on the indulgence of the House; but let me remind the House, that while, by acts of federal union, the Representations of Scotland and of Ireland were arranged—the one at the commencement of the last, the other of the present century—while the Representatives for England have been increased almost to double their amount; the Representation of Wales remains in precisely the same state as it was three centuries ago, at a time when she was considered as a conquered province, and was very thinly inhabited. But, Sir, look at her state now—look at her rapidly-increasing population, look at her progressive advance in wealth, at the great improvement in her means of communication, at her agriculture (not fearing competition even with her more favoured neighbours); look at the incalculable extent of her infinite variety of mines; at the richness of her lead and her iron mines; at that vast bed of coal, both in the North and the South; and then, Sir, I will ask the House, if we are not entitled to this petty addition that we crave? I would entreat the House to grant this favour, then, to a people rapidly advancing in opulence and intelligence—to a people jealous of their rights, and proud of their antiquity;—and let no man undervalue that feeling; it is the surest foundation on which a nation's power and a kingdom's independence can be based—it is that spirit, which, amid the gloom of depression, and the whirlwind of convulsion, still bids the soul cling fondly to its country, and paralyses the activity of evil.

> "Dear is that shed to which his hopes conform,
> And dear that hill which lifts him to the storm,
> While the loud torrent and the whirlwind's roar,
> But bind him to his native mountains more."

Sir, in the name of my country, I demand this as a right—I shall be grateful to accept it as a boon. I move, that it be an instruction to this Committee, to make provision for the further increase of Knights to serve in Parliament for the different shires in the Principality of Wales.

The *Speaker* said, that the motion which had been made was not a subject for an instruction to the Committee, but was referrable to clause 13 in the Bill, which had already passed.

Mr. *C. W. Wynn* said, it was not usual to move an instruction of this kind in Committee after the clause to which it referred had been passed, but still, as it would be competent to the hon. Member to make the motion on the report being brought up, it would not be inconsistent with the practice of the House if he was to do so at that moment.

The *Speaker* stated, that there were two kinds of instructions—one to enable the Committee to do that which it could not otherwise do, and the other was of a mandatory character, and compulsory upon the Committee. The instruction moved by the hon. Member did not belong to the former class; and he therefore wished the hon. Member to say whether he meant his instruction as a mandatory one?

Mr. *Kenyon* replied, that he did.

Lord *Althorp* said, he was glad that the hon. Gentleman's Motion was not lost through any technical objection, because the subject to which it related deserved their serious consideration. With respect to increasing the Representation of Wales, he begged to observe, that it had already been done, while the Representation of England had been diminished, so that, proportionably speaking, it might be said, that justice had already been done to Wales. With respect to the county Representation of Wales, however, it might, perhaps, be argued, that as the county Representation of England had been increased, so ought also the county Representation of the Principality; but in that case it would be necessary to show that the counties of Wales were of themselves sufficiently important to demand the increase. He should oppose the Motion of the hon. Gentleman, but he begged it to be understood, that this did not preclude him from a further consideration of the Welsh Representation, should it be deemed necessary, on the bringing up of the Report.

Sir *Charles Wetherell* strongly recommended the hon. Member to withdraw his amendment, as the noble Lord had expressed such intentions towards the farther consideration of the point he had urged.

Mr. *C. W. Wynn* pressed the recommendation of the hon. and learned Member on the attention of the hon. Member, as to the withdrawal of his Motion.

Motion withdrawn. House in Committee.

The question before the Committee was, the continuation of Clause 16, to which several verbal amendments were proposed and agreed to.

Colonel *Wood* said, that by agreeing to these amendments, the House was allowing that part of the clause which created so much discussion last night, to pass without observation.

Lord *Althorp* said, that at the conclusion of the Clause he should propose a proviso for the purpose of remedying those inconveniences which were complained of last night.

There being three different amendments given notice of with respect to this clause, some conversation took place upon the order of proceeding; and it was finally settled, that Colonel Sibthorp should have the precedence.

Colonel *Sibthorp* stated, that it was his intention to move the insertion of the following words in the Clause:—"That all *bonâ fide* tenants and occupiers of land (not being freeholders, copyholders, or leaseholders) who shall hold any number of acres situate within the several counties or divisions of counties, for which any election for Knights of the Shire to Parliament should be at any time hereafter made, the annual rental whereof shall not be under or less than 50*l*. per annum, free from and clear of all charges and deductions whatsoever, such tenants and occupiers as aforesaid shall be and are hereafter entitled to vote at any such elections for Knights of the Shire for any such county, or division of counties, in which lands are situated; providing they each and severally so claiming to vote have, *bonâ fide*, been in actual possession of such lands as aforesaid for a period of not less than one entire year preceding any registration as may be hereafter directed and required to be made, touching the right of voting at elections." He said that he did not anticipate carrying his proposition to a successful issue; but yet he was determined to proceed through all the difficulties of his situation, and, if necessary, to take the sense of the House, by division, on the question. One point which he would particularly press on their attention was, the justice which would thereby be done to this highly respectable class of persons; and another point, perhaps not less worthy of consideration, was, the policy of granting this boon to a class at once so respectable and numerous. On looking through the Bill he found, that the class of tenants whose cause he was advocating, was the only one which was excluded from all franchise under the provisions of the Bill; the copyholders, leaseholders, and tenants at will, to the extent of 10*l.* a year, all three of whom were entire novelties in the system, possessed votes, whilst this truly respectable and influential class of tenants—a class of people whose loyalty, whose integrity, and the amount of whose contributions to the State, were at least equal to some of those classes who were enfranchised, were to be stigmatized, degraded, forgotten, and set aside by the Bill, as not worthy of possessing the privilege of franchise. He had resided constantly in a large agricultural district, and had mixed very much amongst the class of people to whom he referred, and he believed firmly, that of all others, they were the most independent—the last who were to be bought or sold by any set of Ministers. He found, that there were no less than 378,786 renters of 10*l.*, to whom the noble Lord proposed to give the right of voting. Now he would ask how such a system as this could be reconciled with any principle of equal distribution, so far as property was concerned? He would now tell the Committee, that he felt himself bound to persevere with his Motion, in order to create a counterpoise against such a system. The hon. Member concluded by moving his amendment.

The *Chairman* asked the hon. Member, where he proposed to introduce his amendment?

Colonel *Sibthorp:* In the tenth line, at the fifth page.

Mr. *Western* rose, and said, that in his opinion the Committee had not arrived at that part of the clause in which the hon. Member's amendment should be introduced.

The *Chairman* said, that the hon. member for Lincoln had fallen into a mistake in proposing his amendment at that period. The hon. Member did not object to the clause.

Colonel *Sibthorp* admitted, that he had committed an error, partly owing to the suggestion of the noble Lord (Althorp), and partly on account of the anxiety which he felt on the subject to which his amendment referred. He would withdraw his amendment for the present.

Amendment withdrawn.

Colonel *Wood* was of opinion, that the hon. and gallant Member had selected the proper period for proposing his amendment, and hoped that he would persevere in it.

The *Chairman* said, the hon. member for Lincoln had stated himself that he had no objection to the Clause.

Colonel *Wood* said, the Committee would, if they pleased, of course, deal lightly with a question which affected all the farmers in England.

Lord *Althorp* said, there could be no desire to prevent the hon. and gallant Member from proposing his amendment at the proper time. He regretted there had been any misunderstanding in this respect. As he now understood, that the gallant Member wished to admit leaseholders of sixty years first, and others for shorter terms after, this was not the proper time to propose his amendment.

The *Chairman:* The question is, that the blank in the Clause be filled up with the words "sixty years," on which the hon. and gallant Officer proposed the Clause in question.

Colonel *Wood* said, these were the very words to which he objected. He wished to give every occupier of a farm of 50*l.* annual value, the right of voting. He therefore proposed to leave out the words, "demised for any term not less than sixty years."

The *Chairman:* That cannot now be done, as the Committee have already decided to retain all the words down to "sixty years" in the Clause.

The Marquis of *Chandos* said, that he had the some object in view as the hon. and gallant member for Lincoln—namely, to have justice done to the agricultural interest. The noble Lord had admitted copyholders and leaseholders to vote under this Bill, and why not admit respectable farmers who had no leases? He thought that a farmer paying a rental of 50*l.* per annum ought at least to be put on an equality with a 10*l.* householder, and that he would prove to be as good and honest a voter. It was desirable, that the interests of the British farmer should not be lost sight of when a new Constitution was about to be framed. Unless the justice he proposed should be done to them, they would be a marked class. In the county which he had the honour of representing, there were few leases, and the general admission of 10*l.* householders, therefore, would cause a great preponderance in favour of that class of voters. To obviate that, farmers in general should also be entitled to votes, and no man could believe that the farmer who paid a yearly rent of 50*l.*, although he had no lease, was not quite as respectable, as good, as sound, and as honest a voter as the 10*l.* householder, who held his tenement on the same terms. If the landed interest was of any value to the country, if any commiseration was due to the farmers for their patient and loyal sufferings of late years, they ought not in point of Representation to be worse treated than the householders in towns; on these grounds he should move that there be inserted in the clause, in page five, line two, the following words: "Or any person occupying on his own account, land at a rent not less than 50*l.* by the year, although without any specific tenure of his land, shall be entitled to vote at elections for Knights of the Shire, wherein the said land is situate, provided always that no such occupant shall be entitled to vote until he shall have been one year in *bonâ fide* possession of the land."

The *Chairman* said, that the Committee had not yet arrived at the part of the clause where the noble Marquis's amendment should be introduced. The only question before the Committee was, that the blank in the clause be filled up with the words "sixty years."

Mr. *Cresset Pelham* said, that the confusion in the Committee was so great as to render it impossible to understand what was going on.

[A conversation arose as to the course of proceeding, and at last it was arranged that Lord Milton should move his amendment, which related to some words at the first part of the paragraph.]

Lord *Milton* then rose to move the omission of that part of the clause which extended the right of voting in counties to leaseholders at rack-rent. His objection to that class of voters was, that their's was a derivative right, and in general he thought such rights were considered, under the Constitution, to grant no political privileges. It appeared to him, as had been stated on a former occasion by the hon. and learned member for Cockermouth, that a lease for seven years, whereon there was a reserved rent of 50*l.*, was not likely to produce that wealth which would enable the possessor to act in a manner independent of the landlord. He had always understood the opinion of the wisest and most experienced men to be, that the county constituency, as it stood, was the most perfect in the kingdom, and he had heard, therefore, with great astonishment of those attemps to engraft upon it new rights of election, for he feared the result would be, that the derivative right would be prostituted solely for electioneering purposes. The landed aristocracy were, in general, very anxious to make their election influence paramount to that of the independent freeholders, and he was sure that greater facilities enabling them to do this could not be devised than by adopting the amendments proposed by the noble Marquis. He did not mean to assert, that the counties would be under the nomination of individuals; that would be prevented by their extent; but the great evil to be apprehended was, that a knot of persons, of great landed possessions, would combine for the purpose of securing the Representation, and by the power which the adoption of these proposed amendments would give them, would fix the whole Representation in the hands of an oligarchy. He was convinced the noble Marquis was aware of this effect when he brought forward his proposition. As allusion had been made to the results of the late election, he would freely allow, that occasions would surely arise, when the feelings or passions of the tenantry were strongly excited, that would set at defiance all the usual ties between them and their landlords; but on ordinary occasions these ties would have their full force, and the landlord would always be on the watch to extend them; instead, therefore, of the avowed object of the noble Marquis, that of making the farmers more independent, being obtained by his Motion, that, if carried would have quite the contrary effect; it would make the farmers more dependent. The electioneering and the agricultural interest would not agree well together, and this amendment would hold out great inducements for the landed gentry to divide their estates in order to create votes. Those who knew any thing of Ireland must be aware of the manner in which the system recognized by this clause had worked in that country. Circumstances might justify its introduction there; but there was no necessity for its adoption here, where there was a very large constituency of freeholders. If the clause were agreed to, it would be adding twenty-five or thirty per cent to a constituency already very numerous. The noble Lord concluded by moving the omission of the following words from the clause, "Or who shall hold as lessee or assignee, any lands or tenements demised for any term not less than sixty years (whether determinable as a life or lives, or not) of the yearly value of not less than 10*l.* above reprises, or demised for any term not less than seven years, whereon a yearly rent of not less than 50*l.* shall be reserved, or for which a fine or premium of not less than shall have been paid, shall have a right to vote in the election of a Knight or Knights of the Shire."

Sir *Edward Sugden* said, that every one of the objections of the noble Lord, both on this and the preceding night, was founded on the necessity of respecting derivative rights, which rights, it should be observed, were those which individuals connected with boroughs and towns that would be affected by this Bill complained of as being invaded by the measure. Now, he could not conceive how the noble Lord, who was willing to give the right of voting to persons holding houses from year to year, could refuse it to the substantial renter of land. Was it to be supposed, that the tenant from year to year, nay, from week to week, paying 3*s.* 6*d.* a week, could not be corrupted, while the reverse would be the case with the extensive farmer? The idea seemed to him to be preposterous, when the situation of the two classes of individuals were considered. A farmer must have a capital, either himself or borrowed, which was represented by the stock on his farm, of at least 10*l.* for every acre he held, and before he could be ousted by his landlord, an appraisement must be made of his effects, and he must receive six month's notice, at a particular period of the year; while the 10*l.* householder might have no effects, or any visible means of livelihood. Would any man in his senses place such persons in competition? Moreover, where a sort of weekly tenancy existed, there would also be a covenant for a weekly notice to quit. Why, then, could it be asserted, that the 10*l.* householders, if they were subject to this influence, deserved to exercise the elective franchise more than the leaseholders and copyholders? But what did all those alterations come to? The late elections proved, that the English Constitution, as it now stood, without any of these new-fangled changes, enabled the people to return whomsoever they pleased. He thought, that if they excluded the class of persons which the noble Marquis proposed to include, they would be doing a gross act of injustice; and much more would they be unjust if they should adopt the noble Lord's amendment, which would not only exclude them, but leaseholders. It certainly was, to him, astonishing how the noble Lord could give a vote to a 10*l.* householder, and withhold it from a farmer renting land at 50*l.* a year. The farmer had such a beneficial interest in his holding that there was little probability of his allowing any electioneering influence to predominate over that, while the weekly tenant of a house had no interest in it whatever, and no proof to offer, that he was deserving of the smallest confidence. He should most certainly give his vote for the amendment of the noble Marquis, and as a step towards that, he should vote against the amendment of the noble Lord. In agreeing to the clause, nothing more was done than placing a certain class of the landed interest on a footing with the householder, and it had his hearty concurrence.

Lord *Althorp* objected to the amendment of his noble friend, as well as to the proposition which the noble Marquis opposite had given notice of his intention to introduce. With respect to the latter, he would, when the proper time arrived, state his reasons for dissenting from it. He could not conclude, from any thing which had fallen from his noble friend, that individuals holding leases for a term of years, at 50*l.* per annum; or of sixty years, at 10*l.* per annum, were not likely to be independent enough, according to existing circumstances, for all the purposes of that Bill. It might be theoretically true, that none but the owners of the soil had anciently the right to exercise the elective franchise, but certainly that principle could not now be acted on.

Mr. *Baring* did not approve of the amendment of his noble friend (Lord Milton). He would suppose the case of a respectable farmer, renting land to the extent of 1,000*l.* a-year, which had been occupied by his family for perhaps two centuries, without a lease; and there were many such; he had one in his eye at that moment—a most respectable man. How would such an individual feel, if he were not allowed the right of voting, when the cottagers around him, and employed by himself, holding their tenements for lives, had that privilege granted to them? The framers of this Bill, he must say, had devised the most complicated system of voting that the human mind could imagine. Votes were to be given on account of leasehold tenure, and on account of copyhold tenure. The consequence was, that it would give employment to the lawyers throughout the country, to settle disputed rights and claims. This had been called a landlord's bill, but he believed that it would turn out to be an attorney's bill. The best course would be, to sweep the whole of the rubbish away, and to adopt some clear and simple principle of qualification. In his opinion, no set of men were more fit to enjoy the elective franchise than the respectable farmers. He would, therefore, cordially support the amendment of the noble Marquis, and oppose that of the noble Lord.

Lord *Milton* explained, with reference to what had fallen from the hon. and learned Gentleman, that leaseholders and tenants at will were new creations by the Bill, whereas freeholders were of old entitled to the elective franchise. He had reason to believe farmers in general would not consider the franchise being extended to them as a boon, because, from their dependent situation, they would be compelled to vote at their landlord's bidding. He had known small farmers divest themselves of their freeholds previous to an election, to prevent their being compelled to vote contrary to their conscience.

Mr. *Hunt* said, he quite concurred in the observations of the hon. member for Thetford respecting the case of the large farmer. He knew something of such cases, and could testify to the truth of the description drawn. The hon. Gentleman had also observed, that this would be an attorney's bill. Now, who, in the case of county elections, would be the attorney? Why, as it was at present, the Steward of the hon. Member, or of any other man who had extensive influence in any given county. The Steward was always sent round to direct the voters to whom they should give their suffrage; and he believed there were no men in the country more subject to this kind of influence than the poor 40*s*. freeholders. As to the motion before the House, he would vote for the extension of the franchise to the farmers; for his principle was, that every man should have a vote; and, of course, he would not exclude that respectable and useful body; but if he were asked, why he gave a vote that would throw the influence into the hands of the landlord, he would answer, that it was because he was sure that they would never have another election after this without being obliged to resort to the ballot.

Amendment negatived.

The question, that the blank in clause 16, page 4, last line, be filled up with the words "sixty years"—agreed to.

The next question, that the blank in the same clause "of the yearly value of not less than —— above reprizes," be filled up with the words "ten pounds"—was agreed to.

The next question was, that these words stand part of the clause—"or demised for any term not less than seven years (whether determinable on a life or lives, or not), whereon a yearly rent of not less than 50*l*. shall have been reserved, or for which a fine or premium of not less than —— pounds shall have been paid, shall have a right to vote in the election of a Knight or Knights of the Shire to serve in any future Parliament, or for the part, riding or division, of the county, as hereinbefore mentioned, in which such lands or tenements shall be respectively situate."

The Marquis of *Chandos* said, that he was glad they had now come to that part of the clause in which he might move his amendment without any irregularity. So much had been already said upon the subject, that he would not then detain the Committee by any further remarks in its support. He was glad, that as they extended the franchise to the 10*l*. householder, they had also given it to the 10*l*. leaseholder; but he thought they ought also to give it to the farmer occupying, though without a lease, land for which he paid 50*l*. a year: he considered the farmers who held their lands without leases to be as independent a class of men as any that could be found in counties. He did not think the noble Lord (Lord Milton), the member for Northamptonshire, was right in doubting the independence of the farmers; for he thought, that in other places they would be found as independent as they were known to be in Buckinghamshire. He would now, without further observation, move his amendment, and leave it altogether in the hands of the Committee. The noble Marquis then moved, that all the words in the above-mentioned part of the clause, from the word "or" to the word "paid," be omitted, and the following be substituted,—"any person occupying or farming on his own account, land at a rent not less than 50*l.* by the year, although without any specific tenure of his land, and not being less than one year in the *bonâ fide* occupation of such land."

Mr. *Western* expressed his decided approbation of the amendment of the noble Lord; and if the amendment of the gallant Colonel (Sibthorp), which went to the same effect, had precedence of that of the noble Lord, he would give it the same support. In giving his approbation to this amendment, he was not supporting any thing hostile to the principle of the Bill. On the contrary, he thought he was acting in accordance with, and in furtherance of, that principle, in advocating the proposition now before the Committee, and he owned, that he was at a loss to understand the reason on which his noble friend (Lord Milton) near him should doubt, that the farmers and occupiers of land were not as likely to be as independent as any other class to whom the franchise was extended. His own opinion, and it was founded on an extensive acquaintance with that class of men, was, that a more intelligent or more independent body of men did not exist in society. He would not say, that the great body of the tenantry of the country had always been of that description, but the times were now changed; the middle classes of society were more enlightened; their feelings and habits were in every respect improved. It was said, that the tendency of such a proposition as that of the noble Marquis would be, to throw the Representation of the counties into the hands of the oligarchy; but let it be recollected, that the lands of this country were not now in the hands of a few grandees. The landed proprietors now consisted of men of all classes; and one effect was, that the occupiers of land were, in general, a more intelligent, more independent, more numerous, and more important class than formerly. Indeed, he was acquainted with no class of men to whom the elective franchise could, with more propriety, be intrusted, than the occupiers of the soil. The question was, whether the exercise of the elective franchise would make them less independent than they now were. In his opinion it would not diminish their independence, and he begged to deny, that they were at all that dependent body which some hon. Members seemed to think. In the present state of the country, a good tenant was as necessary to the landlord as the landlord was to him. There was a reciprocity of feeling between them, and every man possessed of land must feel the value of an honest and respectable tenant. He would repeat, that a more intelligent class of men—men more devotedly loyal and attached to the Constitution—did not exist. They understood the interests of the country well, and were sincerely attached to its Constitution. He would not detain the Committee further, or go into an inquiry as to the comparative importance of the class of men included in the noble Lord's amendment, and the 40*s.* freeholders. All he would say was, that many farmers in the country held large tracts of land without any lease; and if the franchise were limited to the leaseholder of seven years, it would exclude, not only men who held lands at a rent of 50*l.*, but, in many instances, of 500*l.* a year. On these grounds he would give his cordial support to the amendment of the noble Lord.

Lord *Althorp* would briefly state the grounds on which he should object to the noble Lord's Amendment. The arguments on which it was founded were these —first, that the landed interest required that influence which the Amendment implied; and next, that it would be hard on the occupiers of land that you should give the franchise to the 10*l.* householder, and exclude it from that class of men who paid 50*l.* rent for land. This, he believed, was a fair statement of the argument. The noble Lord, however, in the wording of his Amendment, had, he believed, gone to an extent which he himself did not intend; for, as the clause would stand, if the Amendment were adopted, all leaseholders would be excluded who were not farmers or occupiers of land; and he presumed the noble Lord did not intend to exclude leaseholders of other property. Having said thus much as to the wording of the Amendment, he would state his objections to its substance. No man was better aware than he was of the respectability of the farmers. Few men knew more about them, or had a higher opinion of their intelligence and integrity. But the question was, were they in such a situation as would ensure the same independence as to their votes as might be expected from freeholders? The Committee were not now called upon to decide upon their respectability, but whether they were in that situation which would make them independent county electors. The argument was, that you gave the 10*l.* householder in the borough a right to vote, and you ought, on the same principle, to give to farmers paying a certain rent a right to vote for the county; but then it should be recollected, that there was always a great difference between the right of voting in boroughs and counties. There was also this distinction, that it was in the power of the landlord of the farmer to do his tenant a greater injury than the landlord of the householder could do to his. The circumstances in which they were placed with respect to their landlords were wholly different. It was urged on the part of the occupier of land, that he was a man of some capital, that it often happened that the occupier of land paying a rent of 50*l.* a-year, had embarked a capital of 500*l.* or 600*l.* on that land, though without any lease, and only a tenant at will. That might be, and he had no doubt it was so in a great many instances, but see how this operated as between him and his landlord. If a man thus circumstanced should vote contrary to the wish of his landlord, and he was turned out for it, he would lose all the capital he had embarked in the land. He would not, of course, lose his stock or his crops, but he would lose all that he had expended in its improvement; and all who were acquainted with the nature of land, and the employment of capital upon it, must be aware of the inconvenience and loss which a tenant must be put to if obliged to quit at a short notice, when he had calculated upon a longer possession. Now all these circumstances were so many motives which must make such a tenant dependent on the will of his landlord, and which must, in the same degree, detract from his independence as an elector. It was said, that the leaseholder of seven years must be nearly in the same situation, for, towards the expiration of his term, he must be nearly as much in the power of his landlord as the tenant at will. He did not think so. The leaseholder of seven years so employed his capital as to get out of the land the value of the capital he had embarked in it, within the time for which his lease was given, and for this time he was independent of the landlord. He would admit, at the same time, that seven years was the lowest term under which the holder of land could be looked to as independent of his landlord; but if that were so, then the independence of the tenant-at-will could not be much counted on. Look, however, to the householder who carried on business in a shop in a town. It would, no doubt, be an inconvenience to such a man to be removed from a place where he had carried on his business; but in removing, he could carry all, or nearly all, his business with him, and could remove the whole of his stock; and in that respect he was much more independent of his landlord than the farmer. There was another distinction between the two classes, which was, that the country votes represented property, and those in towns represented interests. Now if the franchise should not be given to farmers to the extent proposed by the noble Lord, it could not be said that they were not placed in a better situation than they were before, as compared with the scot and lot voters in towns; for while the franchise was taken from many of the latter class who hitherto held it, it was given to a large body of the former, by whom it had heretofore never been enjoyed. He thought, that the tenantry, such as were proposed to be included in the extension of the franchise by this Bill, were fully entitled to have a vote for the county; but he could not concur with those who thought that the same right ought to be extended to tenants-at-will. There was another ground on which he objected to this proposition, which probably would have less weight with others than it had with him. It was this—that if you put the tenants-at-will in a situation where they might vote against their landlords, you would go one step towards the introduction of the Vote by Ballot, and he owned that he was surprised that his hon. friend, the member for Essex, whom he knew to have so strong an objection to that system, should support a proposition which led so directly to it. On these grounds he felt it his duty to oppose the proposition of the noble Lord, though he owned he did so with regret. He knew, that his own constituents were very anxious for the introduction of such a clause, but with every good feeling towards them, he must say, that in wishing for it they did not understand their own interests. He felt it his duty to oppose this wish of many of his constituents, but such was the respect and affection he felt for the farmers, that he did oppose it with much personal regret.

Colonel *Sibthorp* expressed the gratitude he felt to the hon. member for Essex, for the cordial manner in which he had expressed his disposition to vote for his proposition if it had had precedence. He also declared the strong feeling of respect which he entertained for the noble Marquis (the Marquis of Chandos), in whose ranks he had fought on more than one occasion; but while he expressed this feeling, he could not but regret the want of courtesy shown towards him by the noble Marquis, in having taken out of his hands a proposition of which he had given notice so long back as last Session, and which he brought forward in nearly the same words as that of the noble Marquis's. His notice was entered on June 24th, while the noble Marquis did not announce his intention till July 5th. The noble Marquis had taken from him, almost by force, that which he must have known was his adopted child. Such was the poignancy of his feelings in having been anticipated by the noble Marquis in a Motion which he had long cherished as his own, that he was about to quit the House, but a sense of what he owed to his conscience, to the merits of that class to which the Amendment had reference, and to the interests of the country, that he could not leave those ranks in which he had been engaged, had induced him to wait and give his cordial support to the Motion.

Sir *Charles Burrell* supported the Amendment. He could by no means agree with the noble Lord (Lord Althorp), that farmers, being tenants-at-will, were so dependent upon their landlords as to be obliged to vote at their bidding, and that the 10*l.* householder was exempt from such influence. The fact was the reverse, for any Gentleman who had ever canvassed a borough must be aware, that shopkeepers were so totally dependent on their landlords as to be compelled to vote by their directions, and contrary to their own inclinations. He was satisfied, that the franchise could not be trusted to a more independent body than the Yeomen whom that Amendment would include.

The Marquis of *Chandos* disclaimed any intention of anticipating the gallant Officer's (Colonel Sibthorp's) motion. He was aware that that Motion stood on the Orders; but his own being in some respects different, he took the first opportunity that presented itself of bringing it forward.

Mr. *Mildmay* thought, that the 50*l.* landed tenant had quite as good a right to the elective franchise as the 10*l.* householder. He was sure that the former was at least as honest, as intelligent, and as independent as the latter. The Bill was said to be brought forward to give Representation to such parts of the manufacturing and commercial interests as had hitherto not been sufficiently represented; but the landed interest required to be equally well represented. It was his opinion, that by giving farmers a vote, instead of making them more dependent on their landlords, it would raise their characters in society, and it would be the very means of increasing their respectability. It had been said, no independence could be found except that of the freeholder. It was most extraordinary doctrine, that a man holding 40*s.* a-year freehold property should be more intelligent, and better calculated to have a vote, than the smallest farmer to whom it was proposed to extend the privilege, who must have a capital of at least 200*l.* or 300*l.* There was another consideration which applied particularly at present, and had not been taken into account. From the present state of agriculture, landlords were very much troubled to obtain respectable tenants, and instead of the tenants being dependent, the fact was quite the reverse, for the landlord found it necessary to court the tenant, and comply with his wishes, or the land would be thrown upon his own hands. For these causes he should heartily concur in the Amendment.

Mr. *Benett* said, the objections of the noble Lord, the Chancellor of the Exchequer, applied almost wholly to the influence which it was supposed that the landlord might exercise over his tenant. In the present state, however, of the relation between landlord and tenant, as had been also observed by the hon. Gentleman who spoke last, the landlord was quite as much dependent upon the tenant, as the tenant upon the landlord. Another objection had indeed been made by the noble Lord. He had stated, that estates would be divided for the purpose of manufacturing votes, but a little consideration would have shewn him, that the expense attending such a project would make it very difficult of execution. If farms were to be divided, new barns and farm buildings must be erected, and such a division would, after all, procure but a small addition to the constituency. The noble Lord had drawn a parallel between the householder and the renter of a farm, and had said, that if the householder were turned out of his tenancy, he would only have to take away his shop goods with him to another house, whereas the farmer would entirely lose the capital he had expended upon the farm. Let him, however, ask the noble Lord, if such a man could take away the custom of his shop with him, as well as his goods? He believed the answer must be no, and the injury to such a man would chiefly consist in losing the custom he had established. From these facts, it appeared to him, that a wealthy man would be able to command comparatively many more votes in a town, than with a county constituency. He knew, that there was among the farmers a general feeling in favour of Reform, and he knew also that they were almost all in favour of this amendment.

Mr. *Hodges* had, a few nights ago, given notice, that he should support this amendment, and he heartily concurred in all the observations that had been made in its favour. He understood the object of the clause to be, the increase of the constituency of counties, which increase had become the more necessary, in consequence of the creation of large boroughs in the counties. He approved of this object, and he was therefore very anxious for the success of the amendment, for he thought it carried the principle of the Bill into more effectual operation than the clause did as originally framed. He saw nothing in the objection founded upon the influence which the landlord might exercise over the tenant, and he considered it an act of justice to confer the elective franchise upon the renting tenancy of counties, who bore so large a proportion of the county and poor rates.

An *Hon. Member* said, that from the manner in which the question had been put by the noble Lord, the Chancellor of the Exchequer, it became a question, not whether the 50*l.* yearly tenant was a fit person to receive the elective franchise, but whether the landlords of England were a set of unjust, tyrannical, and oppressive men. If this question were determined in the affirmative, then it would behove every man to set himself about procuring Vote by Ballot as soon as possible.

Mr. *Adeane* felt himself compelled to support the Amendment. This Bill gave the right of voting in boroughs to all persons who occupied a house for which they paid 4*s.* a week, and no particular species of holding was required further than that he should have occupied the house for a year. Now, was it meant to be contended, that the man who held a farm for which he paid 50*l.* a year, was not as respectable as the occupant of such a house? Then, as to the influence which might be exercised upon each of these classes of persons, it would be ten times more strong over the householder than over the farmer. The householder might be turned out of his tenancy at a week's notice. On the eve of an election, if such a person refused to promise his vote to his landlord, the latter might turn him out of his house, and thus prevent him from having any vote at all. The yearly renter of a farm, however, could not be turned out under any circumstances, without, at least, six months notice; and as 50*l.* a year was the minimum, it must be evident to any man conversant with these different classes, that the agriculturist was decidedly the most superior man in the scale of society. He thought the amendment was in favour of the principle of the Bill, and that it was calculated also to diminish the objections to the division of counties.

Mr. *Gisborne* said, that the supporters and opponents of the Amendment agreed as to the occupation of the land and the amount of rent; the difference between them was only as to the time of holding it. When he considered, that the 10*l.* householder was liable to be removed at a shorter notice than the agricultural occupier, he felt convinced, that the latter was quite as well qualified as the former to hold the franchise, he should therefore support the Amendment, as furthering the principle of the Bill.

Mr. *Sanford* observed, that Ministers must see, by the opinions expressed by some of the most stanch supporters of the Bill, that the Amendment was considered by its friends to be in accordance with the principle of the Bill. He was of that opinion, and should vote for the Amendment.

Mr. *Tyrrell* intended to withdraw the amendment of which he had given notice on a former occasion, and vote for this.

Mr. *Hughes Hughes* was anxious to state, in one word, the reason of the vote he was about to give. He would not consent to give the power of withholding or conferring the franchise to the landlord, which would be the case if the right of voting depended on his granting or refusing a seven years' lease, and therefore he would vote for the amendment of the noble Marquis.

Mr. Alderman *Venables* was very sorry to vote against Ministers; but as he considered that this Amendment would be a very proper extension of the elective franchise, he must give it his support.

The Committee divided on the question that the words proposed to be left out, stand part of the clause. Ayes, 148; Noes, 232—Majority, 84.

Amendment agreed to.

Lord *Althorp* said, that he must propose that the clause should be withdrawn, in order that the Amendment might be embodied in a technical form.

The Marquis of *Chandos* acceded to the proposition.—Clause withdrawn.

The House resumed; the Committee to sit again the next day.

HOUSE OF LORDS,

Friday August 19, 1831.

Bills. Arbitration and Interpleader; Read a second time.

Petitions presented. By Lord King, from Tithe-payers of Harristown, Graig, Ullard, and Kingston Magna cum Nyland, for an alteration in the Irish Tithe system; from Overlookers of Factories in Keighly, to limit the hours of employment for children in Factories; and from the unemployed Carpenters and Joiners of the Metropolis, in favour of a Reform in Parliament.

Magistracy and People of Ireland.] Lord *King* had a Petition to present from certain Householders of Waterford, but which was so strongly worded that he thought it his duty to call the attention of the House to certain paragraphs in it. The petitioners stated, that murder was the instrument by which the magistracy of Ireland sought to depress the people; they also called their Lordships attention to the "Massacre" at Newtownbarry. The petitioners, he was sure, meant no disrespect to the House; and he presented the petition in order to show the feeling of the people on the subject.

The Earl of *Wicklow* objected to the receiving of this petition. From the manner in which it was worded, it was quite impossible their Lordships could allow it to be received, and if the noble Lord meant to press its reception, he should take the sense of the House upon it

Petition withdrawn.

Prescription Bill.] Lord *Tenterden* introduced his Bill for the alteration of the periods of Prescription in certain cases. It was in substance the same with the Bill which he brought in last Session, and which was lost by the Dissolution. The Bill applied to outstanding terms, and also to the times at which it should be presumed that judgment was satisfied. But the most important portion of the Bill was that which applied to the time of prescription for moduses. Some objection might be made to the time limited for prescription in this last case, but there was no general rule unattended with objections in particular cases; and the only question was, whether on the whole the measure was a good one. On that principle, he thought that this Bill would be a good measure, and moved that it be read a first time:—Read a first time.

HOUSE OF COMMONS,

Friday, August 19, 1831.

Minutes.] New Writ for Sutherlandshire, in the room of Sir Hugh Innes, Baronet, deceased.

Returns ordered. On the Motion of Mr. Prothero, of the number of Houses in Bristol assessed to the Poors Rate with the amounts at which they were rated.

Petitions presented. By Mr. Hume, from the Roman Catholics of the parishes of Callan, Coolagh, Mallardstown, Tullomain, Monaghan, Borris, and Whitchurch, against any further Grants to the Kildare Street Society; from the Cooperative Societies of Lisson Grove, Birmingham, and Glasgow; and from certain Printers of London praying for the Repeal of the Taxes on Knowledge. By Lord Stanley, from the Churchwardens and Overseers of the Poor of Ashton-under-Line, against the Settlement by Hiring Bill. By Mr. H. Ross, from the Chairman of the Dundee Political Union, against the Cotton Factories Regulation Bill. By Mr. Hume, from the Inhabitants of Whitchurch, praying, that the Honours of Dublin University might be open to all without regard to sect or creed.

Reform—Vote by Ballot.] Lord *Dudley Stuart* presented a Petition in favour of Reform and Vote by Ballot, from the Mayor of the borough of Arundel. The noble Lord said, he could not acquiesce in the propriety of the latter part of the Petitioner's application, as he entertained strong objections to the Ballot, and hoped he never should see it introduced at elections. It also pointed out as a grievance the nomination of Members of that House on Committees, in the result of whose deliberations and determinations they themselves were interested.

The petition being read,

The *Speaker* said, he entertained an opinion that this was an unusual and irregular petition. The petitioner had not alleged that he was a party even interested; and the fact alluded to was one which had occurred during the last Parliament. Finally, he had presumed to dictate to the House, in no very respectful terms, how the House should improve its proceedings, by adopting his advice in the mode of appointing its Committees. He had, as a matter of duty, pointed out these objectionable points to the attention of the House and of the noble Lord, and he should now leave it to the noble Lord's discretion, whether he would persevere in moving, that the petition should be laid on the Table.

Petition laid on the Table.

DANGEROUS SPEED OF STEAM-VESSELS.] Mr. *Hodges* presented two Petitions, one from the Corporation of Gravesend, the other from the Directors of the Steam-Boat Company, praying that the Bill introduced by an hon. Alderman (Wood), for regulating the speed of Steam-vessels on the river, might not pass into a law, as it tended to vest great power in the Corporation of London, and contained many vexatious enactments which would materially affect steam-navigation in general, on rivers. When the Bill came before the House, he should take that opportunity of stating his objections to it.

Mr. Alderman *Wood* said, it had been found absolutely necessary to bring in the Bill, in consequence of the continual loss of life, and injury to property, occasioned by the rapidity of those vessels, the owners of which seemed perfectly indifferent to that danger to which they exposed other persons, particularly those in small boats; and as there was no law at present to restrain them, it was absolutely necessary that such proceedings should be checked. He intended to ask for a Committee above-stairs, where the subject could be maturely considered, and where the hon. Member opposite would have an opportunity of judging of the merits of the measure.

Mr. *Maberly* thought the principle of the Bill, which went to interfere, by legislative enactment, with the pace at which Steam-Vessels proceeded, was ridiculous. If it were successful, they would next be called upon to regulate the speed of coaches, and probably the rate at which men were to walk. The object of the Bill was, to prevent Steam-vessels from proceeding at a rapid rate, which was their chief excellence. What was the use of their having such light coaches, and admirable roads, but to facilitate communication. Independent of this, however, some of the clauses of the Bill were objectionable, as giving additional power to the Corporation of London. If these vessels were improperly managed, the proprietors were liable to have heavy penalties inflicted on them for misconduct. He decidedly objected to the Bill.

Mr. *O'Connell* observed, that although it might be ridiculous to control the pace of Steam-boats where there was sea-room, yet they had no more right to race in a crowded river than coach proprietors to drive furiously in a crowded street or market. The loss of lives on the river had been great, and the injury to the watermen severe, for which there was no redress. Some interference was, therefore, required on the part of the Legislature.

Mr. *C. W. Wynn* thought, that the proprietors of those vessels might, if they acted improperly, be punished at Common Law, on the same principle that coach proprietors were made responsible for carelessness or improper conduct. If loss of life occurred by the speed or mismanagement of a Steam-vessel, the owner or offender could be prosecuted for manslaughter.

Mr. *Hodges* thought, the hon. Alderman ought to postpone the Bill for a week, because the Corporation of Gravesend had not had notice, and that body was greatly interested in the question.

Mr. *Dan. W. Harvey* approved of the Committee up-stairs, which was the only proper way to investigate the question; but he must object to the principle of the Bill. It was ridiculous to interfere with the speed of Steam-boats by such a measure as the present. But he was of opinion, that higher penalties than at present ought to be imposed upon those who had the management of them, and that a more summary mode of conviction ought to be established. At present, when any damage was done to a boat by a Steam-vessel, the owner, who was probably the only witness, could not recover compensation. He could only summon the owners before the Lord Mayor, who had the power to inflict a fine; but this was handed over, not to the sufferer, but to the Overseer of the parish, which was a most absurd piece of legislation, and ought to be amended.

Mr. *Hume* objected to the regulation of Steam-vessels by an Act of Parliament. It was, doubtless, in the remembrance of the House, that a Bill with somewhat similar enactments had been proposed by the Lord Advocate, in consequence of the sinking of a vessel in the Clyde, by which many persons lost their lives. The Bill was opposed and withdrawn, and what was the result? the Commissioners who had the management of that river, drew up regulations applicable to the navigation of Steam-vessels on that river, since which, no accident whatever had occurred. The Corporation of London had sufficient power to enforce similar regulations, applicable to the state of the river Thames, and until that measure had been tried, he should object to the appointment of a Committee.

Mr. *Wilks* said, that such had been the loss of life, and such the fear caused by the many accidents which had occurred, that there was a general opinion, that some measures were necessary, to prevent the racing of Steam-boats in the crowded parts of the river, on the same principle as rapid travelling was punishable in the vicinity of the metropolis by Act of Parliament. The law was at present so defective, that there was no power to obtain redress for injuries, unless at an enormous expense.

Sir *Charles Burrell* said, persons were positively afraid to take boats below bridge, on account of the danger, to be apprehended from Steam-vessels, to the manifest injury of the watermen, and as there was at present no remedy in case of accident, he should support the proposition of the worthy Alderman. Perhaps, however, the best course would be, to empower the Corporation of London to put a pilot on board each Steam-vessel, to regulate its speed in the river, and who should be responsible for accidents occurring through wilfulness or neglect.

Mr. Alderman *Wood* declared, that the Corporation had not the power of punishing in these cases, or establishing regulations applicable to the state of the river, as had been supposed by the hon. member for Middlesex. If that had been the case, the House would not have been troubled on this occasion. Several prosecutions which had been instituted to prevent racing had failed, after being attended with much expense, and one or two were still in progress. But he feared it could not be stopped, unless some summary punishment could be inflicted. The Corporation of London had this power with regard to stage-coachmen, and the result was, on the whole, beneficial. A man had lost his life no later than last week, by two Steam-vessels running a race to ascertain which should pass first through the middle arch of Westminster-bridge. He gave notice, that he would move for the Committee upstairs on Monday next.

Petitions laid on the Table.

QUEEN'S DOWER.] Mr. *Hume* presented a Petition from the North Western District of the National Union, complaining of the profligate expenditure of the public money in granting the Queen 100,000*l.* per annum in the event of her surviving his Majesty; and praying for a legislative enactment, by which the widow of every operative in the kingdom should receive 25*l.* per annum, in case her husband should not die worth 100*l.*, and adding, they could not apprehend any objection to this, as those individuals had much better claims upon the nation for this small sum, as belonging to the productive classes, being in fact the only producers of wealth, than her Majesty to the grant of 100,000*l.*

The *Speaker* said, the petition was irregular, as no grant of the sort could take place, unless it originated in a Message from the Throne.

Mr. *Hume* said, the petition simply prayed, that a certain sum of money should be given to the widows of a particular class, as a law had been passed for granting dower to the Queen.

Mr. *C. W. Wynn* objected to the petition being received. It was absurd and mischievous, disrespectful to the Sovereign, and an insult to every loyal subject. It was evidently intended to insult the House, and cast discredit on it. He would oppose its reception if he stood alone.

Sir *James Graham* hoped his hon. friend would withdraw the petition; it was of such an extravagant description that it was impossible to receive it.

Mr. *Courtenay* thought, the petition was clearly meant to ridicule the proceedings of the House. The petitioners never could have imagined that the prayer of their petition would or could be granted.

Mr. *Stanley* said, that the petition was most ridiculously worded, and that the petitioners themselves could have entertained no idea that its prayer would be acceded to. He feared, however, the House would give greater importance to the petition by refusing to receive it, than by suffering it at once to lie on the Table. He should most decidedly oppose the printing of the petition.

Mr. *Hunt* said, that he thought the petitioners were right in calling the grant of 100,000*l.* a-year to the Queen a profligate expenditure of the public money. Perhaps he had neglected his duty in not voting against it, but it came on at two o'clock in the morning, while he was absent.

The *Speaker* called the hon. Member to order. Every Member of the House was presumed always to be present, and when an Act passed the House, it was considered as the Act of the House, and no hon. Member had a right to apply to it such harsh language.

Mr. *Hunt* would be sorry to use harsh or unparliamentary language, but in the present condition of the poor of this country such an Act—

The *Speaker* again called the hon. Member to order. He was pursuing a course which was neither becoming nor proper.

Mr. *Hume* said, he dissented altogether from the opinion laid down, for he had himself, hundreds of times, designated as mischievous many Acts which had passed the House. He had often condemned them, and might, in the exercise of his duty, be called upon to do so again. Had he written the petition, he should certainly not have applied the epithet contained in it; but still he thought they ought not to scrutinize too closely any unguarded expression coming from the petitioners. He felt, that he ought to press the question of receiving the petition to a division.

Sir *John Newport* said, that no hon. Member was warranted in applying such an epithet to a bill passed in the same Parliament that passed the Act to which it was applied. It might be applied to Acts of former Parliaments, because they might be made the subjects of discussion as matters of history.

Mr. *Hume* admitted the correctness of the distinction drawn by the right hon Gentleman, but still thought, that allowances should be made for those who were not acquainted with the rules of the House.

Sir *James Graham* thought, as the hon. member for Middlesex had admitted the justice of the rule laid down by the right hon. Baronet near him (Sir J. Newport), whose experience made him a competent judge upon such matters, perhaps his discretion would point out to him not to press the matter to a division, but to withdraw the petition.

Sir *Richard Vyvyan* objected to the reception of the petition upon broader grounds than the irregularity of expression. He considered, that it would be establishing a most mischievous precedent, if they received a petition which was meant only to censure an act of the House. If they sanctioned such a petition as this, they would inevitably be subjected to the infliction of many more, which would assume even a bolder tone, and interfere with legislative acts of higher importance. If, therefore, the hon. Member persisted in pressing the question to a division, he would decidedly vote against the reception of the petition.

Mr. *Hume* then consented to withdraw the petition, in deference to the opinion of the right hon. Gentleman opposite, and not for the reason assigned by the hon. Baronet near him (Sir Richard Vyvyan).

Petition withdrawn.

GREAT GRIMSBY ELECTION.] On the Motion of Sir George Clerk, the Mayor of the borough of Great Grimsby was called to the Bar.

In answer to questions from Mr. Speaker, he stated, that his name was John Moody; that he was Mayor of the borough of Great Grimsby; that he was the Returning Officer of that borough; that he had received the precept from the High Sheriff of Lincolnshire on Friday, the 5th of August; that he did give a receipt for that precept; that he made proclamation for the election on the Saturday following; that the election took place on the 10th of August; that it concluded at eight or nine o'clock of the same evening; that the indenture of the election was completed on the same evening; that he handed over the precept to the Town Clerk, to convey it, according to the usual practice, to the

High Sheriff of Lincolnshire; that he did not recollect having received any directions at the time when he received the precept, that he was to return it as soon as the election was over; that he thought it was merely necessary to acknowledge the receipt of the precept, which he had done by post; that he did not know of written directions, desiring the precept to be returned as soon as the election was over, being always forwarded with the precept itself; and that he knew nothing further of it after it was put into the hands of the Town Clerk.

Did you not inquire whether it was delivered to the Sheriff?—No. I took it for granted that the Town Clerk would do all that was requisite.

What did you imagine that he would do?—I thought, that he would do what was requisite, and it was his duty to advise the Mayor if there was any error in the proceeding.

What was his name?—George Burke.

Where does he live?—At Great Grimsby.

Do you know where he is now?—He was at Great Grimsby when I left yesterday morning.

Have you had any communication with the Town Clerk respecting the delay?—Yes. I took the messenger with me to the Town Clerk's house, to inquire from him what was the reason of the messenger being sent down to me with this notice.

What did he say?—That he believed it was in consequence of the indenture not being returned to the Sheriff in due time.

Did the Town Clerk take part with either of the candidates as their agent?—I do not know.

Did he vote for either of them?—Yes, I believe he did.

For which party?—For the Blue party.

Did the Town Clerk assign any reason for the delay?—Yes; he said it had been occasioned by the pressure of business in his office, arising during his attendance upon the Committee of this House on the former election; he said, that he put the indenture into the drawer and forgot it.

Did he state what brought it to his memory that he had locked up the indenture in a drawer?—I do not know.

Do you know whether the Town Clerk was concerned as an agent for either party before the Election Committee in this House?—I do not know.

Was he before the Committee?—He was in town to attend it for three weeks.

Do you know whether the Town clerk was the agent for Lord Yarborough?—I do not know whether he was an agent for him. He was a voter; he voted for the Blue interest.

Have you the letter or instruction which accompanied the precept from the Under Sheriff?—It was a letter directing that a receipt should be returned, acknowledging that the precept had been received. I sent it accordingly. I have not that letter with me.

Do you remember the question, whether he was the Agent for either party, being put?—It was put.

Do you remember the answer?—I thought he said that his services were gratis.

The Mayor was ordered to withdraw.

Sir *George Clerk* said, that no great blame now seemed to attach personally to the Mayor. It appeared, that he had done what he believed to be regular, and had not wilfully offended in any manner against that House. Still, however, he was not altogether free from blame for having rested the whole of his duty upon another person, without inquiry whether he was doing right or wrong. He had been guilty of some negligence in not inquiring whether the indenture had been regularly transmitted to the High Sheriff. Under these circumstances, he was unwilling, that the conduct of the Mayor should be visited with any severe notice, but he proposed that the Mayor should, as returning officer of the borough, be admonished as to the negligence of which he had been guilty. After the admonition had been given, he should certainly feel it his duty to go further, and to require the attendance of the Town Clerk.

Sir *Thomas Fremantle* said, it would be better to wait until the Town Clerk was in attendance, before any further steps were taken.

Colonel *Davies* was of the same opinion.

Mr. *Tennyson* trusted, that the hon. Baronet would not persist in the view he had taken of the conduct of the returning officer. There was no blame to be attached to the returning officer, except that he committed the mistake of not making the return himself, instead of intrusting the duty of making it to the Town Clerk. The Mayor had but pursued the same course which was generally pursued by all the returning officers in all the boroughs of the kingdom. He did therefore entreat the hon. Baronet to pause before he moved, that the Mayor should receive an admonition from the Chair for his conduct. The hon. Baronet must be aware that an admonition from the Chair of that House always carried a stigma with it. Now, he was convinced that the returning officer was utterly incapable of acting unfairly, and he should therefore wish that no stigma should be cast upon him by an admonition from that House.

Mr. *C. W. Wynn* thought, that the House ought to look with the utmost jealousy on cases of this kind; and he should therefore support the motion, that the Speaker do admonish the returning officer. He did not mean, that that admonition should be particularly severe; and the Speaker would probably think that, under the circumstances of the case, much severity was not required—but still something was necessary, as the returning officer was the person to whom the House had to look. He should also support the motion for the attendance of the Town Clerk. It was desirable that some admonition should be given for the negligence of which the returning officer had been guilty, and he should propose, that that person be ordered to attend the House for that purpose on Tuesday next.

Lord *Althorp* thought it was desirable, that the Town Clerk should attend that House, and that the Mayor should remain in town till that day.

Mr. *Croker* fully agreed with the noble Lord, and also thought, with his right hon. friend, that the Mayor ought to be admonished, for he ought not to have devolved the performance of his duty upon the Town Clerk, or on any other person. He did not mean to say, that the admonition ought to be a severe one; but some admonition certainly ought to be given.

Ordered that the Mayor and Town Clerk attend that House on Tuesday next.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—TWENTY SEVENTH DAY.] The House resolved itself into Committee on the Reform of Parliament (England) Bill.

Lord *Althorp* said, that the noble Marquis had, at his request, not pressed the insertion of the words agreed to last night, as an Amendment on the 16th clause. He had made this request in order that he might have an opportunity of re-wording the clause, which was necessary, because the terms of the amendment of the noble Marquis included farmers, and farmers only. Now he apprehended, that it was not the intention of the noble Marquis, and he was sure it was not the intention of the House, to omit tenants at will of other property, and confer the franchise only on tenants at will of farms. That, of course, would be very unfair, and he had no doubt that it was not the intention of the noble Marquis, or of the supporters of the Amendment, to reject the tenant at will of houses and garden-land, while they admitted farming tenants at will. With this view, then, of the intention of the House and of the noble Marquis, he had drawn up the words which he proposed to be inserted in the place of those which it had been agreed to leave out. He would first of all read the words which were to be left out, in order that the words to be inserted might be better understood. The words to be left out were these:—"or demised for any term not less than seven years (whether determinable on a life or lives, or not), whereon a yearly rent of not less than 50*l.* shall be reserved, or for which a fine or premium of not less than —— pounds shall have been paid." Before he came to the words which he proposed to insert in the place of these, he must observe, that the amendment of the noble Marquis would render other alterations in the clause necessary. The regulation respecting leases for seven years was intended to apply to the occupying tenant, and the principle which he wished now to follow out was, to make a provision for the cases of those who should under-let to others. The value of the property held by such persons would be easily ascertained by deducting the rent which they received from the rent which they paid. The value, therefore, of the property held by such persons would be the rent which they received, *minus* the rent which they paid, and the product would decide a man's right to vote. Then, again, the wording of the amendment of the noble Marquis was not in conformity with the general provision of the Bill, because, throughout the Bill, occupation was in all cases made referable to the time of registration. Every part of the intention of the noble Marquis was, however, included in the manner in which the Amendment was now re-worded. He would now read this part of the clause as he proposed to amend it, but he must go a few words back. Beginning just after the enactment respecting copyholds, the clause ran thus:—"or who shall hold as lessee or assignee any lands or tenements, demised for any term not less than sixty years (whether determinable on a life or lives, or not), of the yearly value of not less than 10*l.* above reprizes;" then the clause would go on, "or who shall hold any lands or tenements, demised for any term not less than seven years (whether determinable on a life or lives, or not), of the clear yearly value of 50*l.* above reprizes; or who shall have occupied or farmed land on his own account for twelve calendar months next preceding the first day of November in the present year, or next preceding the last day of August in each succeeding year, for which land he shall be liable to a *boná fide* rent of not less than 50*l.* a year: or who shall have occupied as tenant for twelve calendar months next preceding the first day of November in the present year, or next preceding the last day of August in each succeeding year, any lands or tenements for which he shall be liable to a *boná fide* rent of not less than 50*l.*" These alterations, he thought, would meet the views of the Committee, inasmuch as they included the amendment of the noble Marquis, and added to the farmers mentioned in that amendment, such occupiers of lands and tenements as were on the same footing, with regard to rent, as the farmers. These, therefore, were the words which he should now propose to be inserted in the clause, in the place of those which it had been agreed to leave out, observing only, that he had mentioned the 1st of November, merely because it was necessary to mention some day.

Colonel *Sibthorp* took credit to Members on the side of the House on which he was sitting, for the vote they had given last night, as it showed, that they were attentive to all the bearings of the case, and were anxious that all classes in the country should be duly considered. He felt regret himself, that he had not been the leader, as he had a claim of precedence, but it often happened that one man had all the brunt of the battle, and another all the honour. He hoped, at least, that it would go forth to the public, that he was the first to call attention to the propriety of including farm tenants at will.

Mr. *Estcourt* wished to call the attention of the noble Lord to another part of the clause. It was that which enacted, that the possession of lands for terms of seven years, on which a fine of 300*l.* (for so it was proposed to fill up the blank) had been paid, should confer the right of voting. Now this would not cover those leases for twenty-one years, renewable every seven years, which were liable to a peppercorn rent, and on the renewals of which, smaller fines than 300*l.* were paid. Such leases were constantly granted under corporations. He should therefore move, when the time came, that after the words "300*l.*" the following words should be inserted—"or of which the clear annual value shall be equal to 50*l.* a-year."

The *Attorney General* said, that the words to which the hon. Member had alluded, had been struck out of the clause —so that the Amendment which the hon. Member proposed would be unnecessary. His noble friend had read the wording of the clause, which, so far as regarded the view of the hon. Member, was this—"or who shall hold any lands or tenements demised for any term not less than twenty years, which shall be of the clear yearly value of 50*l.*" This would include the leases of which the hon. Gentleman had spoken, because their renewability made no difference in their term.

Colonel *Wood* said, that it seemed to him some words were necessary for the regulation of the registration of votes. As the matter of registration would be a great expense to the candidates, as well as to the country, he should take an opportunity of expressing his opinion upon it.

Sir *Charles Wetherell* thought, that it would be found, that the dates now mentioned by the noble Lord would be productive of inconvenience, and he believed it would be necessary to alter them.

Mr. *Cresset Pelham* begged to inquire if the clause, as now worded, would allow parties who had a house and a small parcel of land, the privilege of voting.

Lord *Althorp* replied, when they were together of sufficient value.

Sir *James Scarlett* wished to know the reasons for fixing on November and August as the periods for registration in this clause.

Lord *Althorp* said, that the last day of August was fixed upon for every succeeding year after the present one. He had fixed the first of November for the present year, as it was necessary to name some distant day, though he certainly was not able to say, that the present Bill would be passed by that time. The last day of August was fixed upon for succeeding years, as the period for making up the lists of registration, and the first day of July was fixed upon as the day up to which persons should pay the rates to qualify them to vote, and those days had been selected on those grounds. After the 1st of July, the Overseer would make his report, and as it was necessary that whatever objections to that report should be decided by a barrister, the last day of August was fixed on as the most convenient one for requiring the services of a gentleman of that profession. The object of the registration was, that when the poll came to be taken, there should be no delay whatever interposed in the way of polling, and that there should be no question then except as to the identity of the voter and his registration. The registration, besides, secured the respectability of the voters, for when a man had registered as an occupant for a year, it was more than probable that he would be nearly two years an occupant before he would have an opportunity of exercising his franchise.

Sir *James Scarlett* thought, that this Bill would furnish more business to the profession of which he was an humble Member, than any previous act of the Legislature, and that a vast number of petitions to that House on disputed questions with regard to elections would be the consequence of it for many years to come. Under the arrangement proposed by the noble Lord, a man who had ceased to occupy a tenement, might, through the accommodating disposition of an Overseer, still have the power of voting, since no questions would be put to him at the poll, except as to his identity and the fact of his registration.

Colonel *Wood* said, the registration would have the contrary effect to what was intended. It was proposed to save, but it would most assuredly increase expense.

Mr. *Praed* said, that it seemed to him that farms which were held under a corn rent, would not be included in the words "yearly rent of 50*l*.," and that the fixing the registration in August, would have the effect of extending the antecedent period of occupation contemplated in the amendment introduced by the noble Marquis. From the time that farms were usually let "Michaelmas," the shortest term at which the elective franchise could be exercised, would be a year and a half.

Lord *Althorp* admitted, that such would be the case. It was necessary, however, to specify some particular time for registration. With regard to the hon. Gentleman's observations as to money, or corn rents, it would not matter how the rent was paid, provided the value of the farm was sufficient—although the corn rent for the year, by a reduction of price, would not amount to that sum.

Mr. *Denison* said, that this clause, in its present amended shape, as well as he could understand it, would have the effect of making a great difference in, and increasing to a great extent, the number of voters in counties. A shop-keeper in a town, renting a house at the value of 20*l*., by having a small quantity of land adjacent, would have a vote for the county.

The question that the words shall be inserted in the clause, carried.

It was also agreed that the words "shall have a right to vote in the election of a Knight or Knights of the Shire to serve in any future Parliament for the county, or for the part, riding, or division of the county, as herein-before mentioned, in which such lands or tenements shall be respectively situate," should stand part of the clause.

Lord *Althorp* said, that they now came to the proviso of the clause, which stood originally thus in the Bill—"Provided always, that such person so seized or holding, shall be in the actual possession of such lands or tenements, or in the receipt, for his own use, of the rents and profits thereof, from the person actually occupying the same." He proposed to omit those words, and to insert another proviso, which was calculated to attain more effectually the objects which the framers of the Bill had, in this instance, in view. He ought to apologize to the Committee for endeavouring to make this proposition intelligible to them. As this was a question of mere law, he feared that, as he was no lawyer, he was not competent to make them understand the proposition, as fully as a person skilled in legal matters would be able to do. The object which the framers of the Bill had in view in this instance, was simply this—that the original lessees, holding lands or tenements of the value already specified, and for the terms already mentioned, should have the right of voting (for he looked upon such long leaseholders as *quasi* freeholders), and that, at the same time, the occupying tenant, holding immediately under them, should also have the right of voting, if his holding should be to him of the annual value already specified in the clause. The proviso which he proposed to substitute for the one which had been originally introduced into this clause had, then, this object in view—to render it necessary that the lands or tenements from which the original lessee derived his right to vote, should produce to him the annual value, above reprizes, specified already n the clause, in order to entitle him to that right, and that the immediate under-tenant should also derive the same value from it, to give him that right; and this proviso was further intended to guard against the right of voting being extended to any number of under-tenants, beyond the tenant immediately under the original lessee. Having given this explanation, he begged to propose, that instead of the proviso which he had just read, the following proviso should be inserted:—"Provided always, that the only persons who shall have a right to vote in such election, in respect of any leasehold interest under the authority of this Act, for the term of sixty years or seventy years, as herein-before mentioned, shall be persons who shall be lessees or assignees, of the original term granted of the premises demised, whether such lessees or assignees be or be not in the occupation of the premises demised, and also persons who shall be lessees or assignees of derivative terms, or under leases, provided such last-mentioned lessees or assignees, be in the actual occupation of the premises demised."

Sir *James Scarlett* said, that the mode of ascertaining the value was expressed in rather ambiguous terms.

The *Attorney General* thought, that the words "annual value" were quite sufficient. However, on the bringing up of the report, they could add the words "above reprizes."

Sir *Charles Wetherell* said, that the first-named lessee might derive a vote from a tenement from which he did not derive any thing like the amount of value specified in the Bill.

Lord *Althorp* said, that such would not be the case, for that the clause provided expressly against such a contingency. If A should assign over or let to B a leasehold interest, of the annual value of 10*l.*, for 10*l.* yearly, A would derive no value from it, and he could not vote under this clause. If he should, however, let it for 20*l.* or upwards, then he would, under this clause, possess the right to vote.

Mr. *Cutlar Ferguson* said, that it was most important, that there should be no ambiguity in this clause. He thought, that the amendment proposed by the Chancellor of the Exchequer removed any ambiguity that had previously existed in it.

Proviso agreed to. Question put, "That this clause as amended, stand part of the Bill."

Mr. *Evelyn Denison* asked, whether a person who occupied a tenement and land, of the value of 50*l.* a year, together or separate, for a term of years, or for one year, was to have a right of voting, whether the holding should be under one and the same, or under different landlords?

Lord *Althorp* said, that any person who occupied a house and land of 50*l.* annual rent, would have a vote, according to his proposition. It would be a most extraordinary decision, if he were to state, that a person occupying to the value of 50*l.* a year land, should vote for the county, but that a person occupying house and land should not have a vote.

Mr. *O'Connell* said, that the question seemed to be, whether continuity formed any part in the proposition. For his part, he did not think, that continuity should make any difference, so that a person had a *bonâ fide* holding, for which he paid 50*l.* annually.

Sir *James Scarlett* asked, whether, if a person had a house of the value of 30*l.*, and a farm of the value of 20*l.*, it was intended he should vote for the county?

Mr. *Evelyn Denison* believed, his question had not been understood. What he wished to know was, not whether a man having a house worth 50*l.* a year in a town, and land worth 50*l.* a year in the country, was to be entitled to a vote—but, whether a man having a house in a town, and land in the country, which amounted conjointly to 50*l.* a year, would be entitled to vote?

Lord *Althorp* said, what was certainly meant was, that if a man rented a house and land, worth 50*l.* a year, though one should be in a town, and the other out of it, he should be entitled to vote out of the joint holding.

Sir *James Scarlett* wished to know, whether it was intended, that a man having a house worth 20*l.* a year in a town, which was to send Members to Parliament, and land worth 30*l.* a year in a county, might vote for the county, and for the borough likewise?

Lord *Althorp* replied, that his observations related entirely to towns of counties, and not to boroughs. A man having a 20*l.* house in Leeds, for instance, and renting land to the amount of 30*l.* in the county, would not be entitled to vote for Yorkshire.

Mr. *Davies Gilbert* rose, to bring forward the amendment of which he had given notice, "to restrict the right of voting on the qualification of 40*s.* freeholds to persons seized of an inheritance." His object was, to draw a strong line of distinction between those who had real freeholds, and such as had votes arising out of grants, or leases for lives, and thereby prevent votes being manufactured for election purposes—a practice which already prevailed in Ireland, and, he believed, in some parts of this country, to an injurious extent, causing lands to be much sub-divided. There should be some restraint upon such practices, and he thought that would be obtained by rating the qualification at 10*l.* on the right of voting on behalf of life annuities, or leases for lives. He therefore begged to propose as an amendment, "that no person be entitled to vote, by virtue of any freehold, the annual value of which does not amount to 10*l.* above all reprizes acquired after the passing of this Bill, unless the said freehold shall be an estate of inheritance."

Lord *Althorp* had no great objection to the Amendment, as it regarded leases for lives; but, if a man acquired an actual freehold estate of 40*s.* per annum, he should greatly object to his being deprived of the right of voting.

Mr. *Davies Gilbert* did not mean, that his Amendment should have any such effect, he only desired to increase the qualification upon the life estate, and not touch any one acquiring a 40*s.* freehold of inheritance.

Mr. *John Campbell* said, the Amendment well deserved consideration. It would only affect those who acquired a right to vote under a lease for life or lives. He was of opinion no one ought to be allowed a vote, from a qualification of a freehold of 40*s.* for life. The right of voting for an estate of that value, was created so far back as the reign of Edward 6th, but 40*s.* a year then was as much as 20*l.* in the present times. He wished the Amendment was carried further, and that no freehold of any description of a less value than 10*l.* a year should give the right of voting.

Mr. *Baring* said, that the proposal now before the Committee did not affect existing interests, but had for its object to prevent life freeholds from being created for election purposes. It was necessary to introduce some restriction of this sort, or such kind of freeholds would be so multiplied as to become a serious grievance. The Amendment left the right of 40*s.* freeholds of inheritance precisely as they stood. He thought, supposing the anxiety to obtain seats in Parliament to continue, that, as the counties would be divided, leaving a smaller mass to be acted upon, every trick would be resorted to in order to create qualifications for voting for county Members. This might be done with the greatest facility, unless some restriction was interposed like that suggested. He had himself a small estate in Wiltshire, on which, by a slight alteration in the leases, to which the lessees could not object, he could make 200 county freeholders. The property consisted of large farms, on which were many small tenements, with two or three acres attached. The same facilities, he knew, prevailed in other places. He was convinced, therefore, that, unless the Amendment were adopted, or something to the same effect, the abuse would prevail in all parts of the kingdom to a great extent.

Mr. *Cutlar Ferguson* thought, a freehold depending on lives could not be considered in any point of view as of equal value to a freehold of inheritance. The distinction was very obvious. The principle of increasing the qualification had been already recognized by the House; and, if a county Representation was now to be established for the first time, no one would think of fixing the qualification so low as 40*s.* All the abuses of the Scotch system arose out of the facility of creating qualifications for life. It was a very great abuse, and loudly called for remedy. Most jobs had their origin in this source. He feared, that the same abuses would prevail in England, unless care was taken to prevent them, by increasing the difficulty of manufacturing voters. He trusted the hon. member for Bodmin would persevere in his Amendment, which had his cordial support. He hoped it would be carried unanimously; but, if a division took place on it, he should vote for the Amendment.

Lord *Althorp* misunderstood the nature of the Amendment in the first instance. He thought it would disqualify any person who should hereafter purchase a real freehold of inheritance to the amount of 40*s*., which he should object to. As he found, however, that it merely went to increase the qualification to those who had freeholds under leases for lives, he had not the slightest objection to adopt it; indeed, he had contemplated a provision of a similar nature himself. As some difficulty might arise in the arrangement of the clause if the Amendment were now introduced, he would suggest to the hon. Mover to withdraw his Amendment for the present; and he (Lord Althorp) would undertake, on the part of his Majesty's Government, that an amendment to the same effect should be introduced hereafter.

Mr. *Davies Gilbert* was ready to withdraw his Amendment on this understanding.

Lord *Milton* said, he hoped this Amendment would operate advantageously. In some parts of the country, votes were manufactured to a considerable extent by granting annuities, an abuse which this clause would materially check. His noble friend would, perhaps, go still further, and prevent any but real 40*s*. freeholders of inheritance from voting at all. Such a clause, however, might affect marriage settlements, unless that were guarded against by a proviso.

Mr. *Cutlar Ferguson* believed there could be very few people whose marriage settlements would be affected injuriously by this clause. They must be under 10*l*.; and he suspected it would be very rare to discover one of this description.

Mr. *Wilks* inquired, whether the operation of the Amendment would be prospective; or whether it was to affect existing interests.

Mr. *Davies Gilbert* intended, that the Amendment should have only a prospective effect.

Mr. *Wilks* said, it appeared to him wrong, that intermediate interests, under leases to the value of 10*l*., should give the right of voting, and that a rent-charge to the same amount, and thereby an equal interest, should not confer the same right. A rent-charge should entitle the holder to vote the same as 10*l*. beneficial interest under successive leases.

Lord *Althorp* said, in reply, that land, on which there was a rent-charge, would not give a vote to the original lessee, unless its yearly value to him was not less than 10*l*.

Amendment withdrawn.

The *Chairman* said, the question now was, that the sixteenth clause, as amended, stand part of the Bill.

Mr. *James L. Knight* said, the noble Lord, in alluding to the right given under the Bill to the original lessee, said, "unless the yearly value to him is not less than 10*l*." There was some difference in this expression and that in the Bill, and he thought the words "to him" ought to be inserted in the clause.

Mr. Serjeant *Wilde* said, that whenever there was any doubt, as to the language to be used in a legal document, the parties had better refer to the existing law, and adopt that language and meaning which had been already established. That course appeared to have been pursued in framing the Bill before them; the words of the clause were—"the yearly value of 10*l*. above reprizes." Now, it was clear, that, under these words, a rent-charge must be deducted, or else the freeholder will not have a clear interest "above reprizes." This language and meaning appeared to him perfectly clear and intelligible, and in no respect liable to the objections that had been made to it.

Mr. *James L. Knight* said, if it was the intention of the framers of this Bill to remove all doubts as to their meaning, the proposed words should be added. On a recent occasion, it had been admitted, that the words used were so indefinite as to make it possible for a man to obtain a vote who had no beneficial interest whatever in land. In his opinion, the words used in the clause had two distinct meanings in law, and it ought to be amended before they were called on to pass it.

Lord *Althorp* said, those who were acquainted with the forms of the House must be aware, that the time was passed for moving an amendment. The clause must either be adopted or rejected altogether. It might be altered on bringing up the Report.

Mr. *James L. Knight* was aware of that, but he objected to the whole clause, and wished that it should be withdrawn and reprinted, for the purpose of being reconsidered. If that were not done, he should certainly oppose it.

Mr. *Baring* said, that after this Bill had passed through the Committee, it must be reprinted, and then, if any hon. Member required an alteration in any of the clauses, it would be competent to him to move, that the Bill be re-committed for that purpose. The whole object of the clause was, to form a county constituency; and he wished to make a few remarks upon its details. Every hon. Gentleman who had listened to the debates must have heard, that the greatest law authorities in the House differed in the construction they put upon the clauses, and when they remembered who was to carry them ultimately into effect, they must entertain considerable doubts whether the whole arrangement was not so complicated as utterly to defeat the intentions of the Ministers. The Overseers of the poor were to fulfil all the provisions of a clause which had puzzled the greatest lawyers in the House to understand it. The mode of Registration was altogether too complicated. In fact, it was impossible to conceive a more complicated and antiquated system of registration than that which would be produced by that clause. It was, however, of the utmost importance, considering who were the parties to be called on to execute its details, that it should be made as simple as possible, in order to prevent the numerous appeals which would otherwise undoubtedly arise. Such appeals were to be decided by a Barrister appointed by the Judges of Assize; and upon a person of this sort, therefore, would the duty of deciding the right of voting in counties chiefly depend. By the provisions of this clause, the right of voting would be invested in leaseholders of 50*l.* a year and upwards, copyholders of 10*l.* a year and upwards, and persons holding beneficial leases for certain terms of years. These persons would form, in common with the 40*s.* freeholders and upwards, the new constituency. He had never been an advocate for unnecessarily and wantonly interfering, or breaking through old established rights and privileges, but when they were about to adopt such extensive alterations as was contemplated, why engraft new rights upon old customs, weaving such a complicated web of franchise, as would defy the ingenuity of man to unravel it? On the contrary, the object ought to be, to make the most simple arrangements possible, in order to prevent the litigation that must ensue from the Assessors being called upon to judge who were seized of property, who held property, who were copyholders, leaseholders, or freeholders, and entitled to vote under the Bill. If, instead of all this patch-work, they had made occupancy, to a certain amount of rent, the qualification for a county vote, nothing would have been more simple, easy, or just, and they would, by this means, have been able to dispense with the complicated machinery which was chiefly valuable on account of its antiquity. If any persons thought distinctions ought to be drawn between freeholds and leaseholds, he would ask them, whether it was not worth while to make some little sacrifice to prevent the evils he had detailed, which would certainly result? A little county election would be got up every year at the time of registration; and, where party and political spirit ran high, justice would not at all times be impartially dealt. He would not propose an amendment, because he saw the House was opposed to him; but he must enter his protest against a clause which made the constituency for counties so complicated, and which put the chief power of elections in the hands of attornies. The plan he had suggested would simplify the whole business of elections, and reduce the expense, whereas this Bill created the most ill-judged complicated machinery possible, multiplied difficulties and embarrassments, and increased the expense.

Lord *Althorp* said, that many amendments had been proposed by hon. Members, which had been well considered, and several of them adopted; but he was convinced that, if such a proposition as that hinted at by his hon. friend were carried into effect, it would render the difficulties of elections ten-fold greater. He was glad, however, to hear he was so fond of simplicity in registrations, for they should certainly have his support when they came to the arrangements for boroughs. He could not concur with his hon. friend in saying, that much power would be given to attornies. On the contrary, parochial officers would be found competent to make out a list of persons in their own parishes qualified to vote for the county. He had had some experience in elections lately, and he could therefore state, from his own knowledge, that the lists were generally made up in such a way that little room would be left for appeals to barristers or attornies. Every respectable farmer, in fact, was so well acquainted with those who had a right to vote, that there was seldom any occasion to appeal to an attorney.

Mr. *Hunt* said, that the old system of freehold qualification was well understood, but now that such a variety of rights had been introduced, no person but an attorney would be able to explain them. He was happy to observe, that the hon. member for Thetford had proposed a simple plan, which was infinitely preferable to the antiquated modes which had been so tenaciously adhered to. Certainly these must ultimately be abolished, and after what had last night taken place, he thought his favourite system of the Ballot would ultimately be adopted.

Mr. *Stuart Wortley* said, that the Committee was not in possession of that full information which was essential before a clause of such vast importance as that under consideration was adopted, and he hoped it would be postponed, as had been the case with preceding clauses. It was impossible to have a subject of greater practical consequence to the country than the present, and as a variety of amendments had been introduced by all parties, while several hon. Members had suggested alterations, the bearing of which ill-understood as the clause was, could not be comprehended, he thought it required further consideration. It was not, therefore, going too far to ask, that the clause should be reprinted with the amendments, before the Committee were called upon to accede to it.

The Chairman informed the hon. Member, that his motion could not be put.

Sir *Edward Sugden* observed, that by altering one clause, it might possibly cause a necessity for alterations in other clauses of the Bill; nay, it was possible, that the Bill would require to be recommitted in consequence of these alterations. The clauses would not dovetail into each other.

Lord *Althorp* said, that it was competent for any hon. Member to move the re-committment of the Bill on bringing up the Report, but he trusted that such a course would not be necessary.

Mr. *Baring* was no otherwise a Reformer than that he wished, when the whole Representation of the country was to be broken up to make the new system as complete as possible. He complained that there was not that simplicity in the qualification of voters for counties which there might, and ought to have been, when the borough constituency had been simplified, and on that ground he must object to the clause. The Bill would be found to disarrange and destroy all that proper balance which ought to be preserved between every part of the national interests.

Sir *George Clerk* wished to be informed, whether it was intended to make any provision in the Bill to prevent the evil of making nominal and fictitious freeholds in cities and boroughs?

Lord *Althorp* said, a clause was preparing to remedy that evil.

Clause, as amended, ordered to stand part of the Bill.

On the 17th clause being proposed, that "no person shall be allowed to have any vote in the elections for counties for or by reason of any trust, estate, or mortgage, unless such trustee or mortgagee be in actual possession or receipt of the rents and profits of the same estate, but that the mortgagor or cestuique trust in possession shall and may vote for the same estate, notwithstanding such mortgage or trust."

Sir *Edward Sugden* suggested, that this clause was unnecessary, and might do mischief, inasmuch as it merely re-enacted that which was law already; and such re-enactment might lead to a suspicion, that such parts of the present law relating to elections as were not re-enacted were repealed by this Bill.

The *Attorney General* stated, that he could not coincide with the suggestion of his hon. and learned friend, and entered into some explanations of the reasons why he thought that it would be safer to retain this clause in the Bill.

Clause agreed to.

The Committee reverted to the 8th clause, previously postponed, which contains a description of the Returning Officers for the new boroughs.

Mr. *Mackinnon* submitted, that this clause, if not amended, would, of necessity, lead to much inconvenience. In those boroughs, for which no persons were mentioned in the third column of schedule C and D as returning officers, it was enacted by this clause, that the Sheriff for the time being of the county in which such boroughs were situate, should have the power of nominating and appointing the returning officers. There were twenty-five boroughs, he believed, in this situation. Thus there would be fifty Members returned to that House by individuals acting as returning officers, under the appointment of the Sheriff. But it was notorious, that it was not the Sheriff, but his Under-Sheriff, that conducted the business of his office; and the Under-Sheriff, who was in general an Attorney, might be liable to improper influence. For instance, if A and B were rival candidates for the same borough, and A had any influence with the Under-Sheriff of the county, great favour might be shown to candidate A, to the great prejudice and detriment of candidate B. Some alteration, therefore, ought to be made in the clause, and the best alteration which he could suggest was, the taking away from the Sheriff the right to appoint the returning officers. The returning officers in the existing boroughs generally acquired their situation by being Lords of the Manor, or Tithing-men, or Mayors, or officers of Corporations. In the close boroughs, as they were called, of schedules A and B, the Sheriff had, almost without exception, no authority whatsoever to appoint a returning officer. By the Reform Bill, however, which professed to do away with all patronage, the Sheriff was made the patron by whom the returning officers, who had to return fifty Members, were appointed. He was of opinion that the returning officers should not be appointed by any single individual. He should therefore move, that the words, of which he had already given notice, giving power to the Sheriff to nominate the returning officers, should be struck out of clause 8, and that in their stead be inserted—

Lord *Althorp* begged to inform the hon. Member, that the time had not yet arrived at which he could propose his amendment.

Mr. *Mackinnon* declared his intention to wait till the proper time arrived at which he could propose his amendment.

The Chairman then read the first part of the clause as follows, viz: "And be it enacted, that the persons respectively described in the third column of the said schedules C and D, shall, after the end of this present Parliament, be the returning officers at all elections of a Member or Members to serve in Parliament for the boroughs in conjunction with which such persons are respectively mentioned in the said schedules C and D."

Sir *Edward Sugden* said, he objected to this part of the clause, and thought this a proper opportunity to consider the whole of it.

Mr. *Stuart Wortley* would avail himself of this opportunity to ask the noble Lord, whether he had made inquiry as to the propriety of appointing the Master Cutler the returning officer for the newly-created borough of Sheffield. The Master Cutler, he believed, had no magisterial authority.

Lord *Althorp* replied, that inquiry had been made, and it appeared to him that the Master Cutler, from the respectability of his station, was a very fit person to be appointed returning officer for Sheffield.

Mr. *C. W. Wynn* wished, for the sake of giving respectability to the office, and in conformity with ancient custom, that the returning officer should have some authority as a Magistrate. He believed that was generally the case in almost all cities and boroughs. Sheriffs were, under this Bill, to appoint returning officers, who were to perform a laborious duty without compensation, and who were to be subject to a heavy penalty if they acted improperly. That was not right. It was well known, that Under-Sheriffs claimed fees for making returns to all counties and cities. He wished to understand what arrangements were to be made to meet these circumstances.

Lord *Althorp* stated, that it would be compulsory on the persons appointed returning officers by virtue of this Act, to serve the office which it imposed upon them. This compulsory service of public offices was not a novelty in this country. Persons, who were much disinclined to the service, were often compelled to serve as Constables, Churchwardens, &c., and were obliged to act, as these returning officers would do, without remuneration. The duty of these returning officers would not be severe, as the elections in these boroughs would not last more than two days. If it should be thought necessary that the returning officer should have magisterial authority during the election, there would be no difficulty in framing a clause to meet that necessity.

Mr. *Charles Ross* could not agree in the propriety of not giving any remuneration to the returning officer. In the old boroughs the returning officer was generally a leading member of the Corporation, or the principal municipal officer of the place. Thus the honour of his station was, to a certain extent, a remuneration for the labour of his office. That would not be the case under this Bill. At Brighton and Wolverhampton the returning officer would be the Constable, who was not, in general, either a very dignified, or a very high Magistrate. In the newly-created boroughs, the returning officer would have nothing but trouble and expense. Besides, it appeared to him, that several of the persons appointed returning officers in the third column of schedules C and D, were incompetent to discharge the duties of such a responsible situation. He, therefore, hoped, that the noble Lord would reconsider this clause, and give some remuneration to the returning officers of these new boroughs.

Sir *John Wrottesley* defended the selection of returning officers which had been made in the third column of schedules C and D. He did not know much of the Constable of Brighton, but he understood that he was not a common constable. As to the Constable of Wolverhampton he was the constable of the manor, he presided over all public meetings, he was chosen at the Court Leet, and was a respectable and responsible person. As to the office being compulsory, he wished to observe, that the office of Sheriff, which always put the holder to considerable expense, was a compulsory office. It was often imposed upon men against their will, and in London and Middlesex heavy fines were inflicted on such individuals as shrunk from the task of performing it. If, then, the Sheriff could be compelled to act, and did act without remuneration, he saw no reason why the returning officers, appointed by the Sheriff, should not be compelled to act, and to act without remuneration.

Sir *Charles Wetherell* observed, that as forty Members would be reared up under the presiding care of these new returning officers, it was incumbent upon Ministers to see that they were respectable and responsible persons. Of all the returning officers appointed in the third column of schedules C and D, not one could be compelled to act. If such were the case, as he maintained it was, they might, at the opening of a Reformed Parliament, find that though they had created twenty-five new boroughs, they had got no Members returned for them, from the non-existence of returning officers in those boroughs. Some stringent words were required in the clause, to compel persons named in the third column, to throw themselves into the situation of returning officers. This clause had been amended twice already, and as it was still totally deficient, would require amendment a third time. He concurred, too, in the objection of the hon. member for Lymington (Mr. Mackinnon) against the appointment of the returning officers by the Sheriff. Under the old Constitution of England, the Sheriff was never the returning officer of any borough; on the contrary, he had a direct control over all the returning officers within his bailiwick. It might be difficult in the new departmental districts of Ely-rents and of Saffron-hill to get a respectable returning officer, but that was not a difficulty of his creation, it was the creation of the Bill. It appeared to him almost self-evident, that if the Sheriff had the power of controlling all the returning officers within his bailiwick, he ought not to have the power of nominating them. He wished to ask the noble Lord opposite, whether he had any new proposal to make upon this clause, and if he had not, whether he would agree to adjourn it for further consideration. If any Gentleman would move the adjournment of this clause, he should have great pleasure in seconding such a motion.

The *Attorney General* was of opinion, that upon every principle of law this clause was a compulsory clause. He would repeat what he had before stated, namely, that if, on the termination of this Committee, any Gentleman should entertain reasonable doubts as to the construction of any clause which had been under the consideration of the Committee, he would give a candid consideration to those reasonable doubts; and if they appeared to be well-founded, would use his utmost exertions to have them removed. In repeating that declaration, he did not mean to insinuate, that he entertained any doubts in his own mind as to this clause being a compulsory clause. It was drawn up in the same terms with those clauses in other Acts of Parliament which made the service of the office of Constable, Bailiff, and churchwarden compulsory. The first part of the clause enacted, "That the persons respectively described in the third column of the schedules C and D shall, after the end of the present Parliament, be the returning officers" for the boroughs mentioned in those two schedules. Could words be framed more compulsory than the words "shall be?" The next part enacted, that for those boroughs in the said two schedules, for which no persons were mentioned in the third column as returning officers, "the Sheriff for the time being shall, by writing under his hand, nominate and appoint for each of such boroughs a fit person, being resident, therein, to be, and such person so nominated and appointed, shall accordingly be, the returning officer for each of such boroughs respectively." Now he wondered how any man, acquainted with the earliest rudiments of the law, could assert, that these two parts of clause eight were not compulsory. He said, that those persons so appointed would be, and must be, in spite of themselves, the returning officers; and that if any of them refuse to serve, he would be liable to an indictment for his non-compliance with the provisions of this Act, and, in all probability, would be called to the bar of that House for a violation of its most important privileges. As to the alleged incompetency of many of these returning officers, it ought to be recollected, should it be found to exist, that a barrister was appointed to assist them, who would make their duty merely ministerial, and by a clause which they would find at page twenty-five, it was provided, that if any returning officer, barrister, or any person whatsoever, should misconduct himself in the election, he should be liable to heavy penalties. His hon. and learned friend's mention of Saffron-hill was intended only as a passing joke on the Bill, for his hon. and learned friend knew, that in that district there were a great many persons qualified to fulfil the duty of returning officers.

Sir *Charles Wetherell* said, that either he or the Attorney General was wrong; but if he were wrong he was wrong with the Attorney General himself. Last week his hon. and learned friend stated, that the Sheriff nominating the returning officer did not confer on his nominee the responsibility of the Sheriff. He had then argued that the Sheriff's responsibility involved his nominee, in which he had been contradicted by the Attorney General, who now said, that the common-law obliged the inferior officer—that a mere enactment that an officer shall be a returning officer was sufficient, and unless he assumed the office, he would be liable to the consequences of a breach of the law; but he must resist that proposition. The Attorney General also said, that if the officer was not indictable at common-law, he might be committed to the custody of the Serjeant-at-Arms. He would not say whether this were so or not, but he was sure the Journals of that House did not afford any case so tyrannical as that supposed by the Attorney General, of summoning a returning officer to the bar, who had been only made a returning officer by the Act, without being compelled by it, and punishing him for neglecting his duty. Yet the Attorney General said, "We will soon tell him what a returning officer's duty is; we will call him to the Bar of the House, if he refuses to do his duty, and punish him." He should be glad if any learned Gentleman, if any of those who cried "Hear" to the Attorney General, would produce a case in which the House had assumed the authority of imposing a most responsible and onerous office on an individual, without distinctly telling him that he would be civilly responsible for the consequences of refusal, or treated *criminaliter*. The doctrine of his learned friend was neither law nor privilege, and it was necessary to add some bond requiring these officers to do their duty.

The *Attorney General* said, that he was at issue with his learned friend as to this clause. As the clause stood before, there had been a different form of words, which did not make a compulsory enactment. But the words of the Bill now were, "such person shall be the returning officer;" and he apprehended that he became so immediately on nomination, and could be compelled to execute the duties of the office.

Mr. *John Campbell* said, the clause enacted, that the person shall be the returning officer, and the moment the Act passed, the persons described in the schedules became the returning officers, and were liable to indictment if they neglected or refused the duty. The Act said, the Mayor of Kendal, for example, was to be the returning officer, and he would incur the same penalties as the Mayor of Stafford or any other returning officer, if he neglected his duties.

Sir *George Clerk* said, that the Attorney General had admitted, that the clause, as it originally stood, was imperfect. This might be a convenient argument for the Attorney General, but what said the noble Lord to it, when he had contended that the clause, as it originally stood, was compulsory? The opinions of the Attorney General, and of the noble Lord, the Chancellor of the Exchequer, as to the clause, were at variance with one another, and he asked to have this discrepancy reconciled.

Lord *Althorp* said, he had given no opinion of the clause as a lawyer; he only spoke from a knowledge of its being the intention of the Government that it should be compulsory.

Mr. *Wason* referred the Committee to clause fifty-five, where it was said, that "if any returning officer shall wilfully contravene or disobey the provisions of this Act, or any of them," and contended, that refusing to execute the duty of returning officer would be a disobedience; he apprehended, therefore, that the effect would be, that the returning officer would be liable to any penalties the House might think proper to inflict for the non-performance of his duty.

Sir *Robert Peel* thought there was a distinction between the returning officers whose names were in the Bill and those to be hereafter named by the Sheriff. The former were already responsible officers—the latter might be anybody whom the Sheriff pleased. It would be competent for the Sheriff, under this Bill, to compel any man he pleased to select, who resided in any borough, to perform the duties of a returning officer. There was no example of any one man having such a power; and therefore it was necessary that this power of appointment should be regulated in detail. To propose to prop up the defects of the law by calling in the aid of privilege, was one of the most strange pieces of legislation he had ever heard of. In order to render the clause complete, some words and some additions were necessary, to prescribe the duties, both of the returning officer, and of the Sheriff with regard to him. It was monstrous to give such a power to any one person as this Bill would give to the Sheriff under its provisions. A Sheriff might prevent any man from leaving the country. This was so unjust, that it was plain the clause required to be reconsidered; and he implored the hon. and right hon. Gentlemen opposite to re-consider the clause.

Mr. Serjeant *Wilde* argued, that there was no charter of any city or borough in which the duties of the returning officer were specified; but however they might vary as to the extent of those duties or methods of appointment, all returning officers were supposed by the law to be answerable for the discharge of the ordinary business of their office, either as it was regulated by custom, or occasionally controlled by particular statutes. These were the known and acknowledged principles under which returning officers acted, and any departure from them would render these officers liable to punishment. He could not see, therefore, why they were to adopt the suggestions of the hon. Gentleman opposite, and make such alterations as would render that doubtful which the law had rendered clear. Undoubtedly there was some force in the argument of the right hon. Baronet (Sir Robert Peel), that the power vested in the Sheriff of appointing the returning officer at his discretion, was a very extraordinary and dangerous power. That was undoubtedly worthy of the consideration of the House. But if the Bill passed into a law, the individual nominated was bound, like any other appointed to a public office, to perform his public duties, however they might interfere with his private concerns. He would be compelled to take on himself the office—to discharge its duties, and answerable, like any other public officer, to be punished by indictment for neglect. He could not see what good objection could be made to the Sheriff, more than to any other officer, having the power of appointment, or in what other hands it could safely be placed. In what officer, indeed, could the appointment be placed with greater propriety than in the High Sheriff? The appointment must rest somewhere, and the Sheriff, who was in a greater or lesser degree the presiding officer in all the elections of his county, must be considered the fittest person to be intrusted with the appointment of the officer who was to preside at elections under the Bill.

Sir *Charles Wetherell* asserted, that the clause did not render it imperative on the Sheriff's nominee to perform the duties, or make it a legal obligation upon him to accept the office of returning officer; and as to the instance cited of the Mayors of boroughs, or other officers standing in the condition of returning officers by virtue of the office they held, why there were many places to which Members were given, where no such officer, nor any similar authority, existed, and it was to cases such as these that the arguments against the giving such power to the Sheriff applied.

Mr. *Bonham Carter* said, that either the clause did or did not compel the person nominated by the Sheriff to accept the office. There was a case in point in the Act of Elizabeth, which said, householders "should be nominated and appointed by the Justices and Overseers of the poor." This provision very closely resembled the enactments of this Bill, and the facts growing out of it were, that the Magistrates appointed certain persons to be Overseers; by virtue of that appointment they held the office, and were compelled to act, and were responsible for their conduct. Again, the statute said, the Churchwardens should also be Overseers of the poor; they were not appointed by the Magistrates, but elected by the parishioners, and in virtue of that became Overseers of the poor. Now, whether these persons chose it or not, they were bound to accept the office, and the nominees of the Sheriff would be placed in a situation in nowise differing from that of Overseers.

Sir *Edward Sugden* contended, that the clause did not either compel the individual appointed, to act, or punish him for refusing. If it did so, why was it, he would ask, that in page twenty-five there was another clause specifying the penalties incurred by returning officers for offences in discharge of their duties? Was not this a plain admission, that the offence was not provided for in the clause under consideration. The Attorney General had, indeed, on a former occasion, admitted that the clause was defective, and he could not understand why they should continue to object to an Amendment of the wording, so as to do away with all doubts on the subject. The only reason he could find for the proposal to give such extraordinary power to the Sheriff as the appointment of returning officers was, that the Government had neglected to make inquiries into the nature of the duties of those officers in different places, and as to the persons who ought to be named to fulfil them. In London the Sheriffs would have the privilege of naming the returning officers for the metropolitan districts, and the noble Lord (Althorp) knew well, that they would possess on such occasions a very extensive influence. That the noble Lord did think so at one time was evident from the fact, that he proposed that the returning officer should not be permitted to offer himself as a candidate for one year after he had ceased to fill the office. He thought, on the whole, that the clause was open to very great objections, and that the suggestions of the right hon. Baronet deserved the best consideration of the Committee.

The *Attorney General* assured the hon. and learned Gentleman, that Government had made a strict investigation as to what persons were the fittest to fill the situation of returning officer, and the result of their inquiry was, that they thought it best to leave the appointment to the Sheriffs of the different counties, and in the course of the present discussion no one had suggested any amendment to that proposition.

Sir *Robert Peel* said, that the main question was, whether the Sheriff ought to have the power of appointing returning officers, and whether the person so appointed would be under an obligation to perform the duties of that office. The duty of the returning officers was, to revise the list of borough voters, insert and expunge names, and rectify mistakes. This was a very extensive power; and he thought it would be admitted, that committing irresponsible power to any person without appeal was extremely dangerous. That irresponsible power was, however, given by the present clause to the Sheriffs of counties; and it might so happen, that a particular Sheriff had a son or a brother a candidate for the Representation of a borough, while he had the uncontrolled appointment of the returning officer. He also observed, that the returning officers would not be chosen from a class of persons much elevated in life, because any one who could show, that he was qualified to represent a borough would be exempted from filling the office of returning officer. And there was hardly any person liable to be called on to serve, who might not in some way or other obtain a nominal rent-charge or some other qualification, to exempt him from the office. It was true, that the Sheriff was selected, on the recommendation of Judges of Assize, by the Privy Council, and that one of his duties was, to be returning officer for a county; but there was a great difference between such an appointment and the appointment of the returning officer to a borough by a single person. It used to be the case in Ireland for the Lord Lieutenant to have the unrestricted appointment of Sheriffs; but so much inconvenience was found to arise from this practice, that an alteration was made in the system, and the Judges of Assize were directed to nominate three individuals, from whom the Lord-lieutenant chose one as Sheriff. Upon the whole, he thought the power given by this clause to the Sheriff was likely to lead to great abuse. There was another part of the Bill which he wished to bring under the notice of the noble Lord opposite. It was provided, that in case of the Sheriff being incapacitated from doing his duty by sickness or other similar accident, a successor should be nominated, but no provision was made for the case of the Sheriff being imprisoned for debt.

Mr. *Crampton*, in answer to the observations of the right hon. Baronet, observed, that the clause was compulsory on all persons appointed to discharge the duties of returning officer, or they subjected themselves to the penalties of a refusal. This was apparent from the words of the clause itself, which enacted, " that the Sheriff shall nominate and appoint a fit and proper person, resident in each borough, to be the returning officer." He took it to be a clear position, that the authority of Parliament made it imperative on officers nominated by the Sheriff to discharge the duties of the office, to which they were appointed, in the same manner as Sheriffs themselves were responsible for the due performance of the duties imposed upon them.

Mr. *George Bankes* contended, that the case was a stronger one than even that which had been put by his right hon. friend, the member for Tamworth. His right hon. friend, adverting to the important duties of the returning officer—duties judicial, and calculated to influence an election—had represented the danger of vesting the appointment of that officer in a Sheriff, who was chosen annually. But his right hon. friend had omitted to observe, that it might be vested in an individual who would hold the authority for life. It was true, that the Sheriff was annually appointed; but the Under-Sheriff, although by law he was annually appointed, yet practically, as was well known, he held his situation for life. He had even known counties, Oxford for instance, in which the office descended from father to son. Now, no man could doubt, that it would be the Under-Sheriff, and not the Sheriff, who would nominate the returning officer. The Sheriff coming into office in February, and having to make his nomination of returning officers in March, whom could he consult, in whose hands could he place himself, but the Under-Sheriff? He had a great respect for Attornies and Solicitors; but they were not persons, agents as they were to so many parties, whom he wished to see returning officers. Yet they were the precise persons who in general would be appointed, He acknowledged, that there were difficulties in the case, but these difficulties ought to have been foreseen in the outset; and the authors of the Bill had no right to call on the opponents to it to suggest an expedient.

Lord *Althorp* said, that Government had considered the question carefully, and it occurred to them, that there was no person to whom the power of appointing the returning officers could so properly be confided as to the High Sheriff. The reason why Government considered the Sheriff the most proper person to exercise this power was that stated by the hon. and learned Member—namely, that he was, in fact, the responsible returning officer for the whole county. The writs, and all communications respecting boroughs in the county, passed through his hands. Two objections which had been made to the Sheriff having the power of appointment were applicable to any person having that power. He had heard no objection peculiar to the high Sheriff which would not apply to any other person. The right hon. Baronet assumed, that nobody would accept the office of returning officer who could avoid it. He could see no ground for that assumption. It did not usually happen that persons refused to fill a responsible office to which no emolument attached. The person who should be appointed returning officer would consider it as a feather in his cap, and he would be raised, during the continuance of his office, above those who were his equals before. The Government had selected the High Sheriff, because he was a person as independent of Government as could be found. It was said, that he might be connected with the persons likely to become candidates; but so might any other individual. He had heard another suggestion made, which, however, it was supposed, would not answer. This was, that the returning officer should be elected, but his election would be made a party matter. Upon the whole, he was of opinion, that the power of appointing the returning officer could not be placed in better hands than those of the Sheriff.

Mr. *C. W. Wynn* complained, that the

clause contained no provision for compelling the person appointed as returning officer to discharge the duties of his office. He wished to know where the power of appeal was to rest in the case of a disputed vote. In other cases, officers might be compelled to perform these duties by a mandamus, but no remedy of that nature was provided in the case of returning officers, who might refuse to execute the office. It would not be known whether a person appointed as returning officer intended to execute the duties of the office until the writ should come down. The person appointed might have the most valid excuse for not executing the office, but the clause did not provide for his making it. He objected to the Sheriff having the uncontrolled power of appointing the returning officer. He ought to be subjected to the ordinary checks imposed in similar cases. It would be more satisfactory if the Sheriff were to select one individual out of three, to be nominated by other persons. He would earnestly recommend Ministers to take into consideration the propriety of granting charters to the new boroughs created by the Bill, and establishing municipal officers in them, who might be responsible for all the duties necessary to complete the elections.

Mr. *Hunt* did not feel any objection to this power being exercised in counties or boroughs; for the Sheriffs were so carefully appointed, that they could be rarely guilty of misconduct. But he thought it would be very unwise, and to the public very unsatisfactory, that the power of appointing the returning officer under this Bill, should be vested in the Sheriffs of London and Middlesex, for the important districts of Holborn, the Tower Hamlets, and Marylebone. The Sheriffs themselves were chosen by the Livery of London, and the office was sought after by persons who had obtained wealth, and had no other means of getting noticed. A case recently occurred, in which a man, who had amassed riches as a Knacker, was a candidate for civic honours; by accident it was discovered, that this person had had the misfortune, upon a former occasion, to steal a horse, and he was, consequently, not elected Sheriff. His object in making these observations was, to show that the appointment of returning officers, who would have most important duties to perform, could not, with propriety, be placed in such hands near London, and the same might be the case in other districts.

Sir *George Rose* said, whoever had remarked the nice and subtle questions which were frequently submitted to the returning officers at contested elections, must be anxious to know what sort of persons the returning officers would be. Attornies were the only persons competent to perform the duties; but in the case of general elections, all the attornies of any eminence would be engaged on one or the other side, and as their time was property, they must be paid for their labours. Now, he wished to ask, where the means of payment were to come from? As they were generally connected with party, particularly if they had been long established, the chances were, that their opinions would be warped and partial.

Mr. *Charles Calvert* said, that as allusion had been made to the Sheriffs of London, he would inform the Committee how they were appointed. On a certain day in the year, the Lord Mayor drank the healths of nine persons, who were usually the most unfit to fill the office. They were selected, because it was hoped that they would pay the fine of 500 marks rather than serve. Some of them, however, occasionally took upon themselves the office. If those persons had to choose the returning officers for the metropolitan districts, he thought that they would select improper persons.

Mr. *Daniel W. Harvey* said, the duties of the returning officer under the Bill would be wholly ministerial. The names of the voters would be upon authorized lists, which would have only to be referred to; but, after all, there might be some difficulty in obtaining proper persons to fill the office. Under existing circumstances, the High Sheriff was the most proper person to appoint the returning officer, as he was presumed to be acquainted with all the persons in his county. When they gave boroughs the privilege of returning Members, they ought surely to point out the mode of conducting the election, and the person who was to preside over it. He saw no objection to create a Mayor, or other municipal officer, for each case, and that would be much better than the temporary appointments of accidental persons. He was, therefore, of opinion, that the suggestion which had been thrown out by the right hon. Member (Mr. C. W. Wynn), was deserving of serious consideration. With respect to remunerating the returning officer, he believed it was generally practised by the candidates. He had been expected to do so, and he saw no reason why the practice should not be continued.

Mr. *Hunt* said, no such practice prevailed at Preston. He had not paid anything to the returning officer, nor did he believe he expected any gratuity whatever.

Mr. *C. W. Wynn* said, there were several Acts of Parliament expressly prohibiting the practice, and inflicting penalties to the amount of 500*l.* upon the receivers. Any authorized mode of payment (and he regretted the Bill did not contain some such in favour of the returning officers of the new boroughs) would be preferable to a violation of the law.

Mr. *Daniel W. Harvey* had never heard an instance of a demand being made on a Member returned, that was not admitted. Nor could it be otherwise. In the case of an Assessor, appointed by consent of the candidates to assist the returning officer, the successful party could never object to pay a portion of the charges.

Mr. *Charles Calvert* said, such a practice had never prevailed in Southwark. During the twenty years he had had the honour to represent the borough, he had never paid a farthing, nor received an intimation that such a thing was expected as a fee or gratuity to the returning officer.

Sir *Robert Peel* regretted the hon. member for Colchester should have called on other hon. Gentlemen to disown what he said was a custom. The House ought rather to consider that the hon. Member had made a mistake, than call up other hon. Gentlemen to defend their own purity.

The Chairman read the 8th clause. On coming to that part which says, "Provided also, that no person qualified to be elected to serve as a Member of Parliament for any such borough, shall be compellable to serve as returning officer for such borough, if, within a week after he shall have received notice of his nomination and appointment as returning officer, he shall make oath of such qualification before any Justice of the Peace, and shall forthwith notify the same to the Sheriff,"

Sir *Thomas Fremantle* said, he objected to any person being exempt from serving the office, merely because he had the qualification necessary for a Member of Parliament. If the office was a hardship, and was disagreeable, no exceptions should be made; and the very persons here exempted, were the most proper to fill the office. If, on the other hand, the office was considered one of honour, or likely to put a feather in a man's cap, as the noble Lord had said, then, no person unwilling to serve should be compelled to do so.

Lord *Althorp* said, the principal reason for making the exception was, that persons might be called on to serve the office, who were desirous, at the same time, to come forward as candidates to represent the place. Persons in that rank of life would feel the office disagreeable, and to subject them to it, might prevent them from sitting in Parliament.

Mr. *Houldsworth* begged to ask the noble Lord, if he thought it reasonable, that persons whose time was of value to them, should be called upon to undertake an office which, the noble Lord said, was likely to be disagreeable to men of a certain rank of life, without some remuneration being provided for them. On the Bill first coming into operation, as the bearing of its clauses were, in many respects, complicated, the returning officer must be a lawyer, or he must have a legal adviser and assessor; and were these to be paid out of his own pocket? No provision was made in the Bill for the payment of such persons. Further, the returning officer should have so much authority delegated to him, as to enable him to keep the peace, and the place of election clear and free of access; and in large towns, during a time of excitement, some considerable force would be required to effect these objects.

Lord *Althorp* replied, the duties of the returning officer would not be so onerous as hon. Gentlemen seemed to anticipate; the voters' names would be all previously registered, and, therefore, he would not be called upon to decide questions relating to the right of voting, but would have merely to identify the voters with their names upon the registry. Consequently, he could have no occasion for an assessor or legal adviser, and it was the duty of the several parish authorities, as well at elections as at other times, to keep the place of election free of access, and they would be responsible if this duty were neglected.

Mr. *C. W. Wynn* said, the returning officer would be called upon to determine the question of an incorrect insertion of a name or place of residence, whether voters had obtained parochial relief since the insertion of their names in the registry, and a variety of other points, which the quibbles of party would create at the time of an election. These must be all heard and determined by evidence, and, therefore, it would neither be prudent nor safe for the returning officer to act without the assistance of an assessor.

Colonel *Davies* said, if the name of a person was in the register, he would be entitled to vote, whether he had received relief or not. The mere insertion of his name would be sufficient, though having received parochial relief would operate against him at future elections, and prevent his name being registered.

Mr. *C. W. Wynn* begged to inquire of the noble Lord, whether a sale of property, which gave a right to vote, previous to the day of election, but after the registration, would disqualify a person from voting?

Lord *Althorp* said, certainly, the right accompanied the property.

Mr. *Hughes Hughes* begged to suggest to the noble Lord, that by a subsequent clause in the Bill to that they were now discussing, fifteen polling places might be appointed for each county, at each of which the Sheriff must attend by deputy. It was too much to expect any man to be at all this expense. Although the elections for boroughs would not be so expensive as this, yet there must undoubtedly be some considerable cost attached even to them, and he therefore hoped the noble Lord would think of some measure to insure a proper remuneration to the several returning officers, and particularly to those to be created by this Bill.

Lord *Stormont* begged to ask the noble Lord, what remedy there was in case a person refused to act after being appointed returning officer?

Lord *Althorp* said, the remedy would be to bring the offender to the bar of the House, in the same manner as if the Sheriff of the county himself had refused to act.

An *Hon. Member:* Suppose a man, after having accepted the office, refused to act, what was then the remedy?

Lord *Althorp* said, he would answer that question by another. Suppose the Sheriff himself refused to discharge his duties, how was he to be dealt with?

Mr. *George Bankes* said, the Sheriff was bound to take an oath, immediately after his appointment, to discharge the duties of his office well and truly.

Clause agreed to.

It was then moved "That the persons mentioned in schedules C and D (in the 8th clause) shall, after the end of this present Parliament, be the returning officers at all elections of a member or members to serve in Parliament for the boroughs in conjunction with which such persons are respectively mentioned in the said schedules C and D—namely, for Manchester, &c., the Boroughreeve and Constable of Manchester; for Birmingham, &c., the two Bailiffs of the town of Birmingham; for Leeds, &c., the Mayor of Leeds; for Sheffield, &c, the Master-cutler; for Wolverhampton, &c., the Constable of the Manor of the deanery of Wolverhampton; for Brighthelmstone, &c., the Constable of the hundred of Whalebone; for Bolton-le-moors, &c., the Boroughreeve; for Kidderminster, &c., the Bailiff; for Kendal, &c., the Mayor; for Macclesfield, &c., the Mayor; for Salford, &c., the Boroughreeve of Salford; for Stockport, &c., the Mayor; for Walsall, &c., the Mayor."

Motion agreed to.

Question put, that the Chairman report progress.

Mr. *C. W. Wynn* suggested the propriety of dividing the Bill into two parts. If the principle and the details were separated, much time would be saved in discussion. At present they were so mixed up, that it was impossible to argue the one without touching on the other.

Question agreed to. The House resumed—the Committee to sit again the next day.

Union of Parishes (Ireland) Bill.] Mr. Lefroy moved the second reading of this Bill.

Mr. *Hume* hoped the Bill would not be pressed at this hour. His hon. and learned friend (the member for Kerry) had strong objections to urge against it, and was disposed to move for the repeal of the Bill of which it was an amendment, and to take the sense of the House upon it. If it were pressed, he would move, that it be read a second time that day six months.

Mr. *Lefroy* said, that the object of the

Bill was only for the erection of chapels of ease in places where the distance from the mother church of the parish was too great for the convenient attendance of many of the parishioners. It was to amend a former Act for that purpose, and its object was to enable Bishops to do that in adjoining diocesses which they might do in either of them separately.

Mr. *Jephson* said, the old bill was so objectionable that it ought not to be amended.

Mr. *Leader* objected to the Bill being brought forward for a general system. It was hard enough for Catholics to be called upon to build one church in a parish, but it was too much to call upon them to build chapels of ease wherever the Bishop might direct.

Sir *Robert Inglis* would not go to the question of the expediency of building this or the other church; but he would contend, that the land was liable for the erection of necessary churches, and not any particular party, Catholic or Protestant.

Mr. *O'Ferrall* opposed the Bill.

Mr. *Stanley* hoped the hon. and learned Member would withdraw the Bill. It made no improvement either way, and where no improvement could be made, it was better not to meddle with the law.

Mr. *Lefroy* expressed his regret and astonishment at the course taken by the right hon. Gentleman as to this Bill, which was sanctioned by the Government in the other House.

Mr. *Stanley* denied, that it was so sanctioned. When shown to his noble friend (the Secretary for the Home Department) his noble friend said, in which he fully concurred, that it was not a measure of importance either way; seeing, however, that the feeling of that House was against it, he thought it would be the wisest course to withdraw it.

The House divided on the motion that the Bill be now read a second time: Ayes 11: Noes 38—Majority 27.

List of the AYES.

Bankes, W.
Best, Hon. W.
Courtenay, T. P.
Hughes, H.
Maxwell, H.
Praed, M.
Pringle, A.
Stewart, E.
Stewart, C.
Trevor, Hon. H.
Vere, H.

TELLERS.

Inglis, Sir R. H.
Lefroy, T.

List of the NOES.

Denman, Sir T.
Dixon, J.
Doyle, Sir J. M.
Ellice, E.
French, A.
Forbes, Sir C.
Gordon, R.
Graham, Sir J.
Heneage, G. F.
Hodgson, J.
Hoskins, K.
Howick, Lord
Johnston, A.
Killeen, Lord
Lamb, Hon. G.
Lambert, H.
Langston, J. H.
Leader, N.
Mullins, F.
O'Ferrall, M.
O'Grady, S.
Ossory, Lord
Power, R.
Ross, H.
Rice, Right Hon. T. S.
Ruthven, E. S.
Stanley, Lord
Stanley, Rt. Hon. E.
Strickland, G.
Tennyson, C.
Thomson, Rt. Hn. C. P.
Torrens, Col.
Villiers, H.
Warburton, H.
Walker, C. A.
Waterpark, Lord
Williams, A. W.
Wyndham, W.
Wood, John

TELLERS.

Hume, J.
Jephson, C. O.

HOUSE OF COMMONS,

Saturday, August 20, 1831.

MINUTES.] Petitions presented. By Mr. JAMES, from the town of Carlisle, for the abolition of the punishment of Death for crimes against Property. By Mr. BLAMIRE, to the same effect, from the Inhabitants of Brigham Greysouthen, Eaglesfield, and Cockermouth. By Mr. HODGES, from Owners and Occupiers of Land in the vicinity of Dover, against the use of Molasses in Distilleries. By Mr. BENETT, from Corsham, for the extension of the Poor Laws to Ireland. By Mr. PENDARVIS, from Truro, for an alteration of the Penal Code; and from the Merchants and Shipowners of Falmouth, for the Repeal of the duty on Marine Insurances.

MAGISTRATES OF WEXFORD.] Mr. *James E. Gordon* moved, pursuant to notice, that there be laid on the Table a list of the Gentlemen holding the Commission of the Peace in the County of Wexford, up to the first day of the present month. He contented himself with merely moving for this Return at present, reserving to himself to take such ulterior proceedings as might appear proper with respect to the conduct of these gentlemen in relation to the Newtownbarry affair.

Sir *John Newport* stated, that a return of the gentlemen in the Commission of the Peace for the whole of Ireland had been lately made, and had been printed; and asked, what then, could be the use of having a particular return made for the county of Wexford? Some reason, at least, ought to be given for the Motion. He could not perceive the advantage of the itinerant legislation of the hon. Member.

Mr. *James E. Gordon* had not been aware that a general return had been made; but even if he had been aware of it, he should still have thought it proper to make this Motion, that he might have the return up to the date of the 1st of this month. The Motion referred to a meeting of the gentlemen of Wexford, some of whom he knew to be in the Commission of the Peace, at which there was some discussion on the subject of the affair at Newtownbarry. As to his itinerant legislation, it was at least more beneficial to the country than the hon. Baronet's sedentary legislation; and he cautioned Gentlemen on that side of the House to consider what they said; for the fewer observations of that kind that were made, the better for the peace of that House. He was not ashamed of his itinerant legislation, and would always be prepared to give a good account of it.

Mr. *Walker* said, he should be prepared to undertake the defence of the Magistrates of Wexford whenever the hon. Member brought the subject to which he had alluded before the House.

Mr. *Crampton* said, that the hon. Member might easily ascertain who were at present in the Commission of the Peace for Wexford, without calling for this Return. He, however, would take care that it should be furnished to him.

Mr. *James E. Gordon* said, in that understanding he would withdraw his Motion.—Motion withdrawn.

LORD LIEUTENANTS' (IRELAND) BILL.] Mr. Stanley moved the third reading of the Irish Lord Lieutenants' Bill.

Mr. *Hume* thought, that the third reading was not to take place to-day, and had so stated to an hon. Member who had intended to oppose the Bill.

Sir *John Newport* was anxious that the discussion on this Bill should take place at an early hour on whatever day should be appointed for it, as he wished to make some observations on it, and his state of health did not permit him to attend at a very late hour. It was a measure of primary importance.

Mr. *Lambert* agreed that it was a measure of great importance, and therefore thought, that the sooner it was passed the better. They ought to proceed with the Bill without delay.

Lord *Althorp* observed, that it was highly desirable that the Bill should pass without delay. Ample notice had been given that the third reading was to be moved this day.

Mr. *Hume* observed, that if due notice had been given, he had no more to say.

The question put, that the Bill be now read a third time.

Sir *John Newport* observed, that the object of the Bill was to create responsible officers in Ireland, of a description the best fitted for corresponding with the Government. At present there were in some counties of Ireland, three four or five governors, who gave different opinions as to the persons most proper to be placed in the Commission of the Peace, and recommended different appointments. The Lord Chancellor was, in some measure, responsible for the persons appointed to the magistracy; but the Lord Chancellor might or might not be personally connected with Ireland, and might be obliged to trust to the representations of others. In a communication with the late Lord Lieutenant, on the subject of the Irish Magistracy, the very first recommendation which he had given him was, to have Lord-lieutenants of counties appointed instead of Governors. This advice he had given, although not at all connected with the Administration. It was of the utmost importance, that some high and responsible individuals should be appointed to give proper information and advice to the Crown, instead of continuing the present system, under which different governors gave totally different accounts as to the state of their counties—one representing a county to be in a state of tranquillity, and another representing it as being at the same time in a state of disturbance. He cordially supported the Bill.

Mr. *O'Connell* did not mean to trespass long on the attention of the House, in moving, that this Bill be read a third time this day six months. He thought the Bill would do harm instead of good, and protested against it. That alteration and amendment were required in the present system in Ireland was certain. It was certain that the system was bad, and worked badly. Frequent complaints were made by the people against the Magistracy; and it was clear that the Magistrates did not enjoy the confidence of the people. Great dissatisfaction with the Magistrates prevailed all over Ireland, but particularly in the northern counties. How far the complaints of the people were well founded he did not take upon himself to say; but the complaints, if not universal, were very numerous; and if there were no grounds for them, he could not conceive how they should have prevailed to such an extent. Another grievance was, that the communications with the Castle were carried on by interested adventurers. Admitting the badness of the present system, he felt himself bound to oppose this Bill, which, instead of being a remedy, would only aggravate the evil, and have the effect of neutralising the advantages of the Irish Reform Bill, if, with the amendments made in it, any advantages should result from it. The object was, to get good Magistrates, and he did not see how that object could be attained by giving the power of recommending to all the appointments in a county to a single individual, who would always have a party in the county. There was, for example, a resident nobleman of high character in the county of Fermanagh, who, in all probability, would be considered the most proper person to be intrusted with this responsible situation, and yet it would be a terrific prospect, in the eyes of the Catholics, if that nobleman, however excellent in many respects, should be appointed Lord-lieutenant of the county. Some similar circumstances existed in every county. A similar repugnance would be felt by the Catholics all over Ireland, and he did not see how this objection could be got over. None would be recommended for the Magistracy but partisans, while the present system afforded some compensation for its badness, by the scramble going on between the different parties for these appointments. There was nothing to prevent the Castle from receiving communications, from whatever quarter they came, and there was in the present system, some security for the propriety of the appointments, in the different representations made by the different Governors; but under this Bill, the Lord-lieutenant would have the whole power, and get whom he pleased appointed. There would be a little despotism established in each county, and the Lord-lieutenant would be the star by which all those would steer who aspired to Government patronage and favour. He had received information that the Lord-lieutenant system was far from working well in England, and that Tory Lord-lieutenants had been multiplied in a most undue degree, under the late Tory Administrations. There was at present in Ireland a rough kind of responsibility in the Lord Chancellor, and public opinion bore upon him in some degree; but no public opinion would bear on a Lord-lieutenant, who would always get his own partisans appointed, and partisanship was the crying evil of Ireland. Suppose that a complaint were sent to the Castle against a recommendation made by the Lord-lieutenant, that functionary would immediately write a letter, setting forth that the complaint was utterly groundless, and the production of that letter would be held a sufficient answer to any charge that might be made in this House. The great cure for the evil was, to identify the Government with the feelings and the interests of the people. It had been said, that the Ministers had been induced to propose this measure on account of the patronage it would afford them, and, no doubt, these thirty-two appointments would afford them some patronage; but he believed the Ministers to be perfectly clear of blame in this respect. They certainly were not liable to the charge of being over anxious to get possession of patronage, in order to bestow appointments on their own friends. That was not a kind of ambition with which they deserved to be taunted, for, with one or two exceptions, they appeared to prefer their opponents to their supporters, and gave the most valuable appointments to their bitterest enemies. There was a valuable Irish Bishopric—that of Derry—at present vacant, and he certainly was not particularly anxious that it should be filled up; but if it was to be filled up, why was not the Bishop of Killaloe, a most excellent Prelate, who was held in the highest estimation by his own order, and by the country in general, appointed to the See of Derry? Had the Ministers not courage enough to promote their own friends, merely lest they should be taunted with self-interestedness? It was not doing justice to themselves, nor was it fair to their friends, thus to lose the advantages which were thrown in their way. He would conclude by moving, that the Bill be read a third time that day six months.

Colonel *Conolly* supported the Bill. The Government experienced very great embarrassment at present from the conflicting statements made by the different Governors. He had no wish *spargere in vulgum voces ambiguas*, about the present Magistrates, but he was satisfied that this measure would be preferable to the existing system.

Mr. *Jephson* said, the proposed system would exclude political partizans, chief constables, and other suspicious authorities, from communicating directly with the Government. It would be a great improvement upon the old customs in that respect, and therefore it should have his support.

Mr. *Blackney* conceived, that any system would be better than the present partial one which prevailed in Ireland, and he would support the Bill.

Sir *Robert Ferguson* supported the Bill, because he knew, that the general opinion in Ireland was in its favour.

Sir *Robert Peel* also thought, that the measure would be advantageous to Ireland. It was of considerable importance to have one great responsible officer for every county, instead of trusting to several governors, and to a stipendiary police. The measure would likewise have a tendency to encourage residence on the part of great proprietors. The mere production of a letter from a Lord-lieutenant would not, in these times of searching investigation, be considered as sufficient to meet a charge made in this House. He had some doubts, but on the whole he approved of the measure.

Lord *Althorp* put it to the hon. and learned Member, whether he would proceed to a division on a measure which was supported by so great a majority of the Members on both sides of the House?

Lord *Killeen* thought it very desirable to assimilate the law in the two countries, and supported the Bill.

Mr. *Lambert* considered the Bill a most beneficial measure.

Amendment negatived without a division, and Bill read a third time and passed.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—TWENTY-EIGHTH DAY.] On the Motion of Lord Althorp, the House resolved itself into a Committee of the whole House on the Reform of Parliament (England) Bill; Mr. Bernal in the Chair.

The *Chairman* said, the subject for the consideration of the Committee was the 18th clause:—"And be it enacted, that notwithstanding any thing herein before contained, no person shall be entitled to vote at the election of a knight of the shire to serve in any future Parliament in respect of any house, warehouse, or counting-house, or of any land occupied together with a house, warehouse, or counting-house, by reason of the occupation of which respectively he, or any other person, shall be entitled to vote in the election of a Member or Members to serve in Parliament for any city or town, being a county of itself, or for any other city or borough."

Lord *Althorp* now proposed to amend this clause, so as to make it assume the following shape:—"And be it enacted, that notwithstanding any thing hereinbefore contained, no person shall be entitled to vote in the election of a knight or knights of the shire to serve in any future Parliament, in respect of his estate or interest as a freeholder in any house, warehouse, or counting-house, occupied by him, or in any land occupied by him together with any house, warehouse, or counting-house, if by reason of the occupation thereof he might acquire a right to vote in the election of a Member or Members for any city or borough, whether he shall or shall not have actually acquired the right to vote for such city or borough in respect thereof; and that no person shall be entitled to vote in the election of a knight or knights of the shire to serve in any future Parliament, in respect of his estate or interest as a copyholder or customary tenant, or as such lessee or assignee as aforesaid, in any house, warehouse, or counting-house, or in any land occupied together with a house, warehouse, or counting-house, if, by reason of the occupation thereof, he or any other person might acquire a right to vote in the election of a Member or Members for any city or borough, whether he or any other person shall or shall not have actually acquired the right to vote for such city or borough in respect thereof."

Mr. *Hughes Hughes* declared, that he was at a loss to understand why the original clause was to be altered in the way proposed by the noble Lord. He was the more surprised at the present alteration, because the noble Lord had informed him, in the presence of a large number of Members of the House, that the clause, as originally framed, should be allowed to stand. The wording of the clause as amended, substituting the words "might acquire a right to vote" for "shall be entitled to vote," appeared quite mysterious, and he called upon the noble Lord to give some explanation on the subject.

Lord *Althorp*, in explaining the object of the alteration, said, that, as the clause originally stood, a person who held a freehold of 10*l.* a-year in a town, would acquire a right of voting there by the payment of his rates and taxes, but if he neglected doing so, he would be entitled to a vote for the county. Inconsistent as it was, such would have been the effect of the clause, and the object of the alteration was, that the non-payment of rates and taxes in a town, should not entitle a man to a vote for the county. Again, if a landlord let a freehold house at less than 10*l.* a-year, he would be entitled to a vote for the county, but if the amount was 10*l.* or more, he would be deprived of that vote. The Bill had been altered so as not in any case to deprive a freeholder of a vote for the county, except where he had acquired, for the same property, a vote for a borough. It should be borne in mind, that since the clause was first introduced, other classes of voters for the county had been created by the Bill; viz., copyholders, customary tenants, leaseholders, and now tenants-at-will. The object of the clause, as had been already stated, was, that the county constituency should not be overpowered by the inhabitants of the towns, which they would have been if all those who had the right of voting for property in towns were admitted indiscriminately to vote for the counties. He acknowledged that he had made the statement as to the intention only to leave out the words mentioned by the hon. Member, but on subsequent consideration it had been found, that if they confined themselves to that alteration, the effect would be, that the town constituency would overwhelm that of the county.

Mr. *Hughes Hughes* said, that his original objection to the clause, and the notice he founded upon it, arose from this consideration. A freehold in a borough of from 2*l.* in value up to 10*l.*, would not confer upon the occupier the right of voting for the borough, while it conferred the right to vote for the county, even if the owner were non-resident; but if it amounted to 10*l.* or more, the owner lost his vote for the county, because his tenant enjoyed a vote for the town; and then this absurdity would arise, that while a freeholder might have property in a borough which would entitle him to sit in that House, nevertheless he would not be qualified to vote for a Representative for the county. The recent division of the counties added to the importance of this consideration. He most strenuously objected to the alteration in the clause, and could not help complaining of the breach of faith which had been committed, after a distinct announcement to 200 or 300 Members.

Mr. *Warburton* said, he should have been induced to support the alteration in the clause as proposed by the noble Lord, if it were not for a late decision of the House. He did not think, that Government had been guilty of any breach of faith in proposing to alter the clause; but after the vote of the Committee, conferring on tenants-at-will the right of voting for counties, he feared that it would give so enormous an accession to the agricultural interest, that the balance of power to which the noble Lord had so often alluded, would be altogether destroyed. If the object was, to exclude town voters from any influence in counties, they had better say so at once, fairly and openly. He should, therefore, feel great difficulty in agreeing to the alteration, and would vote against it.

Mr. *Frankland Lewis* said, that he felt the strongest possible objection to this clause, as proposed to be amended by the noble Lord. What would be the consequence—what would be the effect of this clause, in its present amended shape? He would particularly allude to the borough of Wenlock, which contained seventeen rural parishes, being, in fact, an extensive district, inhabited by many persons entitled to vote for the county, and what would be the consequence here? Why, that a man who possessed 400*l.* or 500*l.* a-year in land in this rural borough, in addition to the 10*l.* house which gave him a vote for the borough in question, would be deprived of the vote for the county to which his landed property would justly entitle him. Why was that done? Was it just or fair to deprive an individual thus circumstanced of his vote for the county which he and his family might have held for generations? It should be understood, that all property above a 10*l.* house, would be a mere surplusage. The proposed alteration, therefore, in such instances, gave a right to vote for a trifling qualification in a borough, and at the same time deprived the freeholder of his more important vote for the county: could the two votes be put in comparison? One was for the unimportant borough of Wenlock, the other for the county of Salop. It would be the same in other places. The measure introduced a number of changes, which, as in this instance, were totally uncalled for, and which would appear to have been introduced through the mere love of change. Why, he would ask, was the surplusage of property which a man might possess over and above the 10*l.* house which gave him a vote in a borough, included in the value which qualified him for the possession of such vote? It was most unjust to take from the owners of lands in rural boroughs that influence which they should possess in the counties, when it was not at all necessary to add the surplus value of their property to the value of the 10*l.* house which they possessed in the borough, in order to entitle them to the burgage vote. Why not make some limit to the amount of landed property which should be included with the house in a borough, as giving the owner of them a right to a vote there, and throw the remainder of the land which an individual might possess into the county, so as to give him his right to vote there also? Why not say, that the possession of a house rated at 10*l.* with five acres of land, should give the vote in the borough, and permit the remainder of the land which an individual so circumstanced might hold, to give him a vote for the county, in which it was situated provided that it amounted to the requisite value? A man with 1,000*l.* a-year or more in landed property, had no more influence than the occupier of a 10*l.* house, and had no greater right or privilege than the renter of one of his own cottages. He thought, therefore, that what he proposed, would be only dealing fairly with the owners of land in rural boroughs, and he would as an amendment upon this amendment, propose, that after the word "land" in the amendment of the noble Lord, the words "not exceeding five acres" should be inserted.

Lord *Althorp* said, that the proposition which had been made by the right hon. Gentleman was quite inadmissible. The hardship as to a man possessing 500 acres of land over and above the 10*l.* house which gave him a right to a vote in a borough might as well be applied to houses as to land; and it might be asked, why a man holding a house worth 500*l.* or 1,000*l.* should only have a vote for it as a 10*l.* house, and should not have any more votes for it on account of its surplus value beyond the amount of 10*l.* The right hon. Gentleman might say, that it was hard to deprive the freeholders in Wenlock of their right to vote at the election for the county of Salop, but was it not quite as hard to deprive the freeholders of Manchester of their votes for the county of Lancaster? If such freeholders would be deprived, by the operation of this Bill, of these votes, other votes were given to them to which they had not hitherto possessed a right. It certainly was the opinion of his Majesty's Ministers, that freeholders in borough towns should not be allowed to come in and overpower the constituency of the counties in which such boroughs were situated. It was with that view principally, that this clause had been framed. It should be recollected, however, that there would be many towns still which would not be borough towns, and that the owners of property, and the residents in those towns, would have the right to vote, as they ought to have, for the counties, as well as the tenants-at-will and the farmers who would possess that right under the amendment of the noble Marquis opposite, which had been carried on a former evening. By that proposition, which the noble Marquis carried on a former evening, the landed interest gained considerably more than they would lose by allowing the freeholders in those towns which were not borough towns, the right of voting for the county. If, however, the amendment now proposed by the right hon. Gentleman opposite should be carried, and all the voters in all the great towns to which the right of Representation was extended should be let in on the counties, that would quite alter the balance the other way, and the landed interest would lose considerably too much.

The *Chairman* stated, that the question now was, that the words "not exceeding five acres" be inserted after the word "land," in the original amendment.

Mr. *C. W. Wynn* did not object to the principle of the Amendment, but was rather inclined to think, that it was inexpedient to deprive the owners of large agricultural property of votes for the county, because their property happened to be situated within the limits of a borough. In the cases of non-resident landed proprietors in such boroughs, he wished to know what would be their right of voting under the Bill? They could not vote in the borough because they were not householders there, and their freeholds being situated within the limits of a borough would prevent them from obtaining the county franchise.

Lord *Althorp* referred his right hon. friend to the clause which had already been read by the Chairman, and by which he would perceive, that a person with property in the situation described, would not be affected by its operation.

Mr. *C. W. Wynn* said, copyholders in boroughs ought to be entitled to vote as well as freeholders; they were, to all intents and purposes, in the same situation, and were equally as well entitled to the same privilege as persons of their description who were to have votes for counties. The clause would create much confusion in county elections, as so many rights were undetermined. In Leominster, for instance, several hundred freeholders would be taken from the county constituency, and some of them were considerable freeholders. The great objection to the clause was, that it admitted small freeholders and excluded large copyholders. He could not conceive, that his noble friend had answered the objection he had made as to the non-resident freeholders, to whose disfranchisement he strongly objected. Let him, however, be understood, he had no objection to the principle of giving Representatives to large towns, but he thought the clause was not correctly worded, and would be liable to various interpretations.

Sir *George Clerk* was of opinion, that the original clause, as it stood in the Bill, was far preferable to the amendment which had been proposed by the noble Lord. Why had they not adopted the principle which the Scotch Reform Bill adopted on this point? It was much more simple and equitable than the one upon which this clause was framed. By the Scotch Bill it was enacted, that the owners of any property whatever in a borough from which they derived a right to vote for that borough, should not derive a right from the same property to a vote for the county. It was stated in the Bill, that copyholders ought to enjoy the elective franchise, but yet they were not allowed it in cities. On one hand a vote was given to a person just above the condition of a pauper, and on the other, large landowners were prevented from voting. It was said to be immaterial where the elector voted, so that he had the privilege, therefore persons were taken from the county constituency, and placed in boroughs, and the same was, in many instances, reversed, to the destruction of all old habits, interests, and connexions. The operation of the clause would be more extensive and objectionable than the framers of it imagined, and he should therefore support the Amendment.

Lord *Milton* said, that he entered fully and altogether into the objections which the hon. member for Oxford had started to this clause. It was a clause which appeared to him to proceed upon the falsest political view possible—namely, upon the separation instead of the political union and identification of the various classes of the community. It was founded on the principle of dividing the country into two divisions, opposed to each other, instead of considering it as one general community; and it proceeded upon the assumption, than which none could be more false, that the nation at large was composed of discordant, instead of being constituted of concordant, interests. How would it operate in Wiltshire for instance? That county would, in all probability, be divided in such a manner, that in the northern district there would be six boroughs, exclusive of Cricklade; all of which, with the exception of Devizes, would require a considerable portion of adjacent country to be added to them. There would, therefore, be seven districts cut off from this half of the county, and this would, of course, abstract a large part of the county constituency, who, as they would be taken from the vicinity of towns, might be considered as about the most respectable and intelligent of the whole body. In the pursuit of a great national object, the rights of some private individuals must be affected, but as little disregard of these as possible should be exhibited. If they looked at the case of Chippenham, which was to lose one of its Members, they would find, that the owner of a house there had hitherto held the right of voting for the Members of the borough and for the county; he had, in fact, four votes; but how would this clause operate upon him? He would be deprived of his two county votes and one of his borough votes. This was unjust, unnecessary, and undeserved. His objections to the clause were not to be overcome. Persons removed from the county to the town, and returned again at their convenience, shewing, in fact, that the interest of town and county was the same. It was absurd to attempt to separate their interests, and he believed there was no fear that the town population could overpower the county constituency. He was sure that was not the case in the West Riding of Yorkshire, notwithstanding his hon. friend had asserted the contrary. He wished the various classes of persons to meet, and it would contribute very much to the advantage of both town and country, that they should have the means of acting, and be mixed up together at common county meetings. He was satisfied, on the principle that a Member of a great county, had more general, although less private influence, that most persons would prefer having votes for two county Members, to a vote for one borough Member. That, however, was only a minor objection to the clause, the main one being the separation of interests which it contemplated, and was calculated to cause. People, in general, were prone to consider themselves, and imagine, that different classes had different interests, but the House ought to set itself in opposition to such opinions, instead of encouraging them. "On these grounds," continued the noble Lord, "I feel the strongest possible objection to this clause. Wise as this measure that has been brought forward by his Majesty's Ministers is, in its principle, it does appear to me that it should have been in its details bottomed more upon ancient foundations. I admire the principle and the general character of this measure of Reform. I admire its boldness, too; but I must say, at the same time, that many of the principles of the details of it have not been based, as they ought to have been, upon the ancient institutions of the country. It should have been so founded, instead of trying to make a balance between the trading and commercial interests on the one side, and the landed interest on the other—instead of trying an experiment, the success of which is obviously impossible, for no ingenuity will be sufficient to render that balance so nice as not to excite dissatisfaction on the one side or the other. The noble Marquis who brought forward the amendment which was carried the other evening, said, he did so because the landed interest had not been sufficiently attended to in this Bill. Is it not possible that other interests, as well as the landed interest, may feel dissatisfied? I wish that every freeholder of the ancient county court should continue to possess his right to vote for the county, and upon this ground that the ancient principle of the county Representation was, that real property should be the basis of it, and that personal property should be represented elsewhere. I do not think, that it is a very wise thing to teach the people that the institutions of the country are but as of yesterday. I do not think it is proper to tell the freeholder, to whom the right of voting has been handed down during the course of six centuries—I do not think it is just or proper to tell him, that he can be deprived of that right by an Act of Parliament. We are come, Sir, to that part of the Bill at which I must take my stand. I voted for the disfranchisement of all the boroughs. I voted for that disfranchisement *con amore*. But, Sir, I will not vote for the partial disfranchisement of any freeholder in England. I will not vote for the partial disfranchisement of any freeholder, whether that freeholder be in Leeds, in Chippenham, or in Truro; whether he reside in Yorkshire, in Cornwall, or in Wiltshire. I stand up for the rights of all those freeholders who are all interested in the preservation of those rights which they have, through a series of centuries, derived from the lesser barons, who, with those of a higher grade, in a former period, vindicated the liberties of this country, and their descendants possess an equal claim to those rights and privileges for which our forefathers in common contended. I shall therefore not vote for the disfranchisement of any *bonâ fide* freeholder in England. In conclusion, I beg to say, that I object to the clause now under consideration, because I look upon it as a clause of injustice. I oppose it because I look upon it as a clause destitute of political wisdom —as a clause which goes to separate, instead of to unite, the different classes of the community—which teaches the people of this country to believe, that their interests are discordant, instead of being concordant —which teaches the commercial and trading interests to look with jealousy on the landed interests, and teaches the landed interest, on the other hand, to regard with suspicion the growing wealth and prosperity of the trade and manufactures of the country."

The *Chairman* said, that the question now before the Committee was simply the amendment of the hon. member for Radnorshire, that the words "not exceeding five acres" should be inserted after the word "land."

Mr. *Frankland Lewis* said, that no reasons had been stated to induce him to alter his opinion as to the necessity of introducing those words into the amended clause of the noble Lord. A mansion worth 100,000*l.*, or an estate of 10,000*l.* a year, would only give a vote for a borough if it happened to be within the boundaries of such a borough, to the exclusion of all the tenantry, as well as the landlord, from votes for the county. These rural constituencies were called in to form an independent borough constituency, and received a great injury by being thus deprived of their county votes. When Cricklade, Aylesbury, and Bassetlaw, were thus purified, the electors created for that purpose from the surrounding districts were not deprived of their freehold rights for the county. Had that been proposed, the possessors of the land would not have accepted the offer on such terms. No country gentleman would consent to exchange his county franchise for that of the adjoining town, which he knew had always been in the market, and sold to the best bidder. He did not, however, see a sufficient number of his friends about him to warrant him in dividing the House on this question. He hoped, however, that the Committee would feel, that he had done his duty by bringing it under notice.

Amendment withdrawn. Question again put on the clause.

Mr. *Pemberton* apologised to the Committee for presenting himself to their notice, which, however, he had been induced to do in the absence of hon. Members better qualified for, and usually taking a prominent part in, these discussions. As he understood the clause, it left the right of the freeholder thus:—If a man lived in a borough town, in his own freehold house, he was divested of his right of voting for the county by virtue of that freehold; but if he happened to live in an adjoining house, and not in his own freehold, then he had the right of voting, as the holder of the house he lived in, for the borough, and also in right of his freehold for the county. Was there ever so monstrous a proposition submitted to a body of reasoning men, as that the mere fact of a man living upon his own freehold should divest him of the rights which that freehold, if let to another, would bestow upon him?—Another anomaly in the clause was, that while it gave the freeholder the right of voting for the county, if he did not reside upon his freehold, the same right was not to be enjoyed by the leaseholder and the copyholder. The noble Lord had told them, that the distinction was made because the right of the leaseholder and the copyholder was a right newly created by this Bill, whereas that of the freeholder was an ancient right, which ought to be held sacred. He confessed, he had heard that sentiment from the noble Lord with much pleasure, but with no less surprise. What! were they all at once become so tender of ancient and vested rights, in the very midst of a measure the very object of which was to destroy all the most ancient, and, as far as law and usage could make them so, the most sacred and inviolable rights in the country? Had they not been trampling upon corporate rights from one end of the kingdom to the other? Had they not disfranchised thousands and tens of thousands, who held their rights by the most sacred ties, as well of property as of a personal description?—Was not this measure founded upon the destruction and built upon the ruins of ancient and vested rights? He thought, then, that the noble Lord was something fastidious, if he would give him leave to say so, to boggle now at the shadow after he had destroyed the substance. It was like a man being startled at the ghost of the body which he had killed—like crossing the sea, and being stopped by a gutter.—The effect of the alteration proposed in this clause would be, to destroy that balance of the interests in the State upon which the Bill professed to be founded, and upon which it was accepted by the country. The proposed change would be a breach of the compact so made with the country, and would be so regarded. It was not with reference to the effect on the success of the motion of the Marquis of Chandos that the present Amendment had been introduced. He was not disposed to deny, that the feeling of the country was in favour of the Bill, but he contended, that the satisfaction, if well founded, could not continue when the leading principles of the Bill were entirely altered. How long would it be possible for the people to regard the Bill with confidence and satisfaction, when they found that the balance originally proposed was destroyed—when indeed the whole weight was taken out of one scale and thrown into the other? He therefore opposed the amendment of the noble Lord. He opposed it because it would destroy the proportions of the original Bill. The Committee was told, that the great, if not the only, reason for passing the Bill was, that the people might be satisfied. That might be a good reason for adopting the measure; it might be a good reason for destroying the English Constitution; but if that Constitution was to be sacrificed to such a motive, at least let not the people be deceived, and let the Committee have the price of their consent. Let not the principles of the Bill be wholly departed from by Ministers.

Lord *Althorp* had much difficulty in replying to the various objections that had been made to the present clause, as amended. First, there was his noble friend (Lord Milton), whose object was, that all persons who had freeholds, or the right of voting in towns, should have the right of voting for the county. Then, there was the member for Oxford, who wished that persons occupying their own freeholds should be excluded from voting; but that, when those freeholds were occupied by other persons, they should be admitted to vote. Then there was the hon. member for Bridport, who said, that he could have approved of the clause, as altered by Ministers, but that he must object to it, after the proposition of the noble Lord (Chandos). Next came the hon. and learned Gentleman who had just sat down, who wished to exclude every body in a borough; and then the hon. member for the county of Radnor (Mr. F. Lewis), who wished to have a limit of five acres. Now, he confessed he found some difficulty in the attempt to answer those several objections; for, when replying to one, he was in danger of saying something that might seem to support some of the others. With regard to the observations of his noble friend, they did appear to him to amount to arguments against the Bill. He could not understand the separation of interests which had been spoken of. There ought, in this country, to be no separation of interests, and he was sure that, in the view which his noble friend took of the question, he would not find many supporters in that House. If all interests were the same, why should there be separate rights of voting for towns and counties? He wished that the noble Lord, who talked of simplification, had heard the hon. member for Thetford on the other side. Neither did he anticipate, that the argument of the hon. and learned Gentleman opposite, founded upon an assumption that the Bill went to destroy vested rights, would have much weight; for he conceived it to be not possible for any man, or body of men, to frame a measure, effecting such important changes as the Reform Bill did, without affecting vested rights much more extensively. It had been, on the other side, contended, that all rights existing in counties should be extended to boroughs. That, he thought, would be scarcely consistent with the simplicity which ought to be preserved in all matters relating to boroughs. One of the most prominent causes of complaint against the borough system was, the great expense which the conveyance of non-resident voters entailed. Even in counties, were it practicable, it would be a great advantage, were the privileges of non-residents abolished. Upon the whole, he thought, in the course of the present discussion, there had been more arguments founded upon extreme cases than ought to enter into the consideration of an assembly legislating upon such a question.

Sir *Robert Peel* could not help thinking, that, even on the noble Lord's own showing, it was advisable to confine the right of voting to towns in which the freeholds were situated. The noble Lord said, that there were two objections to it: first, that it would destroy the simplicity of voting, and next, that it would let in non-resident voters. In his opinion, it would greatly tend to simplicity, and he asserted that the argument as to non-residents did not fairly apply. In all cases of residence, the freehold gave the right of voting for the electoral district, and not for the county. How much more easy would it be to practise frauds under the system now introduced, than by confining to one person the right of scrutiny? With respect to the necessity of enforcing the principle of residence in towns, it was admitted, that the same objections which applied to non-residents voting in towns, applied in some degree to non-residents voting for counties. If it was not right, and if it was expensive, in towns, to bring non-resident freeholders to the poll, it was equally so to bring them to the poll in counties. The advantage, therefore, derived in this view, from obliging the freeholders in towns to vote for the county was not all clear gain.

Again, the same objections which applied to non-resident freeholders, applied still more strongly to non-resident freemen. A non-resident freeman had often no connection whatever with the place for which he was entitled to vote. The right was usually acquired by birth, marriage, or servitude; and there was no necessity for his having any property within the town. It was also to be considered, that the non-resident freeman was often a person in a very low class of life, and, therefore, open to bribery, and very often not able to bring himself to the poll. In any one town, however, that could be named, there were very few small freeholders—he meant freeholders under 10*l.*—who were able to go to any expense in bringing themselves to the poll. The question, however, was, whether the small freeholder, within the limits of a town, had not a greater connection with the town Member, than with the Member for the county. The freehold generally partook closely of the nature of the town. Whatever promoted the interest of the town, usually promoted the interest of the town freeholder, and he had more ready means of access to, and communication with, the town Member than with the county Member, who resided, perhaps, at a distance of forty miles. Believing, therefore, that the simplicity of voting would be assisted by making the alteration, and that the evils of non-resident voters would not be increased by it, it had his support, and he hoped it would be adopted.

Mr. *Cutlar Ferguson* had heard, with a good deal of astonishment, the speech of the noble Lord (Lord Milton), the member for Northamptonshire, in which he declared, that he would object to disfranchising any freeholder in England, not considering that when he voted for schedule A, he voted for the disfranchisement of many freeholders. He considered, that the right of voting was vested in every man who possessed it, for the public good, and therefore, he felt no scruple in dealing with the rights of freeholders, when the public good required it. Upon this principle, he had gone the whole length which the Bill required by its disfranchising clauses. There was another thing in which he could not concur with the noble Lord (Lord Milton). The noble Lord seemed to think, that there ought to be no distinction between borough and county Representation. That, however, was not the ancient principle of the Constitution. The distinction was obviously drawn. This Bill, too, he contended, had been purposely framed, and properly framed, with a view to separate and render more distinct, the county and the town Representation. This was the principle of the Bill as it originally stood, and he (Mr. Ferguson) could not agree with the clause as it now stood, so far as it differed from the clause as originally framed. With this view, he took the liberty of strongly urging upon his Majesty's Ministers the expediency of their adhering to this clause as it stood originally. Though he seldom concurred with the right hon. Baronet (Sir Robert Peel), he admitted the force of his argument in the support of the proposition that freeholders in towns ought to be admitted to vote for those towns, rather than for the county. It was most important that the county Representation should be preserved free and independent, although he admitted, it was hard to know how this could be done, especially after the decision of the House on the noble Marquis, the member for Buckinghamshire's, amendment. For his own part, he had voted with Ministers on the proposition for dividing counties, but as tenants-at-will were to be admitted to the franchise, if another opportunity arose, he should retract that vote, and support the proposition for preserving the counties undivided. His opinion as to the present clause was, that it was much better as it stood originally.

Mr. *Warre* thought, that the scheme of the right hon. member for Tamworth, to allow 40*s*. freeholders to vote for the boroughs in which they resided, would not work well when reduced to practice, particularly in the new boroughs. It would tend to create a mass of constituency which would overload the borough Representation. It would also produce discontent; for the man who lived in a house worth 5*l.* or 6*l.* a-year, and had no vote in a borough, would feel something like jealousy, when he saw his neighbour voting out of a garden worth 40*s*. It was better, he thought, to confine the 40*s*. franchise to counties. The 40*s*. freeholders were of a class easily bribed. He did not mean to speak it invidiously; he thought it was so, and that there was not so much facility for bribery in county elections as in towns; and, as to non-residents it is evident that it would be impossible to enforce residence as a qualification for voting in counties.

Mr. *Wason* was anxious that the clause should be so framed as that freeholders should have the option to vote for the borough or the county, as they thought fit.

Mr. *Warburton* thought, the noble Marquis's (Chandos) amendment had completely overturned the balance between town and county Representation, and had given the land-owners a preponderating influence. With a view to correct this, he should now propose an amendment, to give freeholders and copyholders in boroughs the double right to vote for the county and for the borough. He did not wish to include leaseholders in towns in this amendment, but merely freeholders and copyholders. The noble Lord, the Chancellor of the Exchequer, had, in fact, admitted, that the balance was destroyed by the carrying of the noble Marquis's amendment; but then the noble Lord conceived, that he had restored the balance, by extending the right of voting to tenants-at-will occupying 50*l.* houses. The number of tenants-at-will occupying 50*l.* houses, however, was not to be compared with the number of tenants-at-will occupying farms, and therefore the argument as to restoring the balance went for nothing. If the noble Lord had known, in the first instance, that tenants-at-will were to be admitted to vote in counties, the clause, in his opinion, would never have been proposed, to exclude freeholders in towns from voting for the towns, as well as for the county. The hon. Member concluded, by moving an Amendment as follows, viz.—to leave out all the words after the word "as," in the fourth line, down to the word "as," in the fourteenth line; and to add the words "that nothing herein contained shall prevent any freeholder voting in a county at large, from voting also in the borough or city in which his freehold is situated."

Colonel *Sibthorp* wished to put one or two questions to the noble Lord (the Chancellor of the Exchequer). Before he proceeded to do so, however, he wished to express the satisfaction which he, no doubt in common with others at his side of the House, felt, at receiving into their ranks such a recruit as the noble Lord (Lord Milton), the other member for Northamptonshire. The noble Lord appeared to have been converted to a great extent on this question, and his abilities and exertions would be a great acquisition to its opponents. When he looked at the clause then before the Committee, and at the noble Marquis's amendment, which he believed the House and the country went along with him in considering, not the noble Marquis's, but his amendment—[*a laugh*] Hon. Members may laugh, said the hon. and gallant Member, but it is my amendment.

Hos ego versiculos scripsi, tulit alter honores—

An *Hon. Member* suggested, that the word in Virgil was not *scripsi*, but *feci*.

Colonel *Sibthorp*; "Well, *scripsi* or *feci*, I don't know which, though I wrote it down. But *scripsi* or *feci*, I did both, and I take credit for both; and to the noble Marquis (pointing to the Marquis of Chandos) I apply the words '*tulit alter honores*." With respect to tenants-at-will, he would select an instance from Lincoln which city was a county corporate. He knew a farmer in that place, a worthy and excellent man. This farmer held, as tenant-at-will, a house of above 10*l.* value, under the Corporation in the city, and also as tenant-at-will under the same Corporation in the county, but not in that division (Lindsay) in which the city of Lincoln was to be included. What he wished to know was, whether this individual, who was his constituent, would be entitled to a double vote, or whether he would be excluded from voting for the city of Lincoln? He also wished to ask, if freeholders in towns were to vote for counties, why copyholders and leaseholders in towns should not be admitted to exercise the same privilege?

Lord *Althorp* said, his attention had been called away for a moment, and he had only heard one of the hon. Member's questions—that respecting a person occupying a house above 10*l.* in a corporate county, and lands, as tenant-at-will, in the county at large. The only reply he could give to this question was, that he saw no reason why persons residing in counties of cities should be placed in a situation different from those who resided in boroughs. Under this Bill they would be precisely in the same situation.

Colonel *Sibthorp* said, it appeared by the answer given by the noble Lord, that freeholders in counties corporate were to vote for the counties, but the cities so situated as counties of cities, were to be part and parcel of the counties in the exercise of voting: as to freeholders, they were not to participate in the same enjoyment as others in counties, such as copyholders, and leaseholders, or-tenants-at will at 50*l.* rent; this he pronounced unjust and partial. Why annex them to counties, unless you gave them the same full right of voting in all the branches; or rather, why deprive them of the full exercise of the right of voting?

Lord *Althorp* could see nothing inconsistent between the two propositions, as the constituencies of counties corporate were assimilated in every respect to those of boroughs.

Colonel *Sibthorp* thought he only spoke the sense of his constituents, when he said, that counties of cities were most unjustly dealt with in it. As to the Bill itself, he believed now, as he had always done, that it must go—to the Devil.

Mr. *Praed* said, that, as the noble Lord (the Chancellor of the Exchequer) felt himself impeded and embarrassed, by not knowing which of the arguments urged by his opponents he should first reply to, those who opposed this Bill found the same difficulty in knowing which of the objectionable parts they should first attack. He agreed with those who thought it best to exclude altogether the freeholders in towns from any share in the county Representation, and he would exclude from towns those who voted for counties. That this was the principle upon which the Bill was framed he was satisfied, from the language of the noble Lord who introduced it. His (Lord John Russell's) words were —"At the same time that the towns shall have of themselves a proper share in the Representation, having their own proper Representatives chosen by themselves, I do not intend that they shall interfere with the Representation of the counties."* If that was a fair exposition of the principle of the Bill, and they were now endeavouring to carry it into effect, the only question was, whether freeholders in boroughs voting for the county, should be said to interfere or not with the Representation of the county? and it was impossible, as he conceived, to answer that question any other way but in the affirmative. Whether or not the noble Lord who introduced it had given a fair exposition of the principle of the Bill, he (Mr. Praed) would not take upon him to say; but the principle, he contended, was a good one, and whether the Bill was framed upon it or not, he should support any proposal tending to carry that principle into effect. He concurred with the noble Lord, the member for Northamptonshire (Lord Milton), that it was bad and unwise to say, that the interest of the town was in hostility with that of the county; but he contended that it was neither unwise nor incorrect to say, that the interests of the towns might be distinct from that of the county. This was the principle adopted from the earliest ages of our Representative history, and it was recognized in the present Bill. For instance, in the case of Yorkshire. If the interest of Leeds could not possibly be distinct from that of Yorkshire, why was it thought expedient, that the people of Leeds should send Representatives for themselves? If the present Lord Chancellor was in that House, and his noble friend (Lord Milton) had ventured to urge such a position as he had now done—that no distinction should be made between the county and town Representation, how would his noble and learned friend have answered him? The Lord Chancellor, speaking on this subject in another place, on the 28th of March, said "he should not care if the leaseholders of the smallest term were let in; for while he let in the towns, it was his anxious wish, that the counties should be independent."* The Lord Chancellor did not mean securing the independences of the counties from the great landowners, as some might suppose, but securing their independence against the influence of the population of the towns. In reference to his own canvass for Yorkshire, the noble and learned Lord said, "He begged to remind his noble friend, that he never thought of canvassing the squires, although he had taken great care to canvass the towns." The noble Lord then proceeded to state some of the circumstances connected with his canvass—"that the squires were at first violently opposed to him, though he had the honour of boasting many friends amongst them," and, after stating that they "held a meeting for the purpose of preventing him from becoming a candidate, which ended in their inviting him to offer himself;" he went on to say—"However, he had not placed any dependence on the squires, all his reliance was upon the towns, for they were sure to carry the election." He then put it to the dignified Assembly he was addressing,

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* Hansard's Parliamentary Debates, Third Series, vol. ii, p. 1076.

* Hansard's Parliamentary Debates, Third Series vol. iii p. 1063.

"whether this was a state of county Representation which ought to be satisfactory to the country?" The only mode in which the county Representation could be kept distinct and independent was, he contended, by excluding altogether the freeholders in towns from any share in the county Representation. It was said, that if the 40*s*. freeholders were added to the number of town voters created by this Bill, it would render the constituency in large towns inconveniently numerous. They had not yet come to the clause, however, entitling persons to vote in towns. Notice of an amendment was already given, that the qualification in large towns should be the occupation of a house worth 20*l*. instead of 10*l*. a-year; and when the clause relating to the qualification in towns came under discussion, then would be the time to consider whether the constituency in large towns should be diminished. The only question now was, whether the inhabitants of towns, being freeholders, should vote for the town or the county; and his opinion decidedly was, that the county Members ought not to be chosen by the constituency of the towns.

Lord *Althorp* said, he had before given the reasons which applied to the case remarked upon by the hon. and learned Gentleman; he would not trouble the Committee by repeating them.

Mr. Warburton's amendment, which he declined to press, was negatived without a division.

The original clause, as amended by Lord Althorp, was then read, and the question put upon each sentence. On coming to the words "or any other person,"

Mr. *Hughes Hughes* moved, for the purpose of assimilating leaseholders and copyholders in towns and boroughs to freeholders, that the words "any other persons" be omitted.

The Committee divided on the question, that the words proposed to be left out stand part of the question. Ayes 187; Noes 1 *—Majority 186.

On the question being put, that the words "might acquire a right to vote in the election,"

Lord Althorp moved, that the words "shall be entitled to vote," be inserted in lieu of the words "might acquire a right."—Agreed to.

The original clause, as amended, was then agreed to.

The Chairman read the 19th clause, as follows:—"And be it enacted, that in order to entitle any person to vote in any election of a Knight of the Shire, or other Member, to serve in any future Parliament, in respect of any messuages, lands, or tenements, whether freehold or otherwise, it shall not be necessary that the same be assessed to the Land-tax, any Statute to the contrary notwithstanding."—Agreed to.

The *Chairman* said, the 20th clause, that which related to the registration of voters for county Members, and the period during which persons must hold property before being entitled to vote, unless coming by descent, was next to be considered.

Lord *Granville Somerset* said, as this clause formed the preamble of the Registration clause of the Bill, and was important on that account, and likely to create much difference of opinion, he wished it should be postponed.

Lord *Althorp* hoped the noble Lord would withdraw his objection, and allow the clause to be proceeded with. If there was any part of it to which he objected, he should have ample opportunity of discussing it, when the Registration clauses were before them.

Mr. *C. W. Wynn* suggested that the clause should be postponed. Some part of it could not be discussed until they came to the Registration clauses.

Lord *Althorp* could not well understand how they were to come to the consideration of the right of voting in counties, before the general machinery of the right of voting was discussed; but as it appeared to be the desire of the Committee to postpone it, he would not object further than to suggest, that the clause should be read.

Mr. *Bonham Carter* wished to see the clause disposed of, so that no advantage might be taken of the omission of the words relative to Registration.

Lord *Granville Somerset* had no objection to the clause passing, *pro formâ*, as it stood, provided that was not made a plea for hereafter refusing to allow him to oppose the whole principle of Registration. But, besides this, there was the proviso, which required explanation, for an exception was there made in favour of certain parties, but still under a limitation which might exclude them from voting.

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* The only Member who voted for Mr. Hughes Hughes' amendment was Mr. Warburton.

Lord *Althorp* said, the reason for the exception was, to enable parties who might be promoted to benefices, and to whom property might come by descent, marriage, or otherwise, to acquire thereby a right of voting.

Mr. *O'Connell* thought it would be better to leave out the proviso altogether. It would generate the same abuses as prevailed in Ireland, where they were compelled to get rid of them by the manufacture of fictitious votes. Parties could easily evade the necessary scrutiny as to their being properly entitled to vote.

Lord *Althorp* said, the proviso only gave all such parties a right to be registered; it declared, that "such person shall be entitled in respect thereof, to have his name inserted as a voter in the election of a Knight or Knights of the Shire in the lists then next to be made."

Clause 20th was agreed to, after the following amendment, proposed by Lord Althorp, had been inserted. For the words "unless he shall be seized thereof," to substitute the words "and also in the actual possession or receipt of the rents and profits for his own use."

House resumed.

DUBLIN ELECTION.] On the question that the Committee sit again on Tuesday next,

Lord *Stormont* rose and said, before the House adjourned, he had something to state relative to the Dublin election, and a question to put upon that subject to the noble Lord, the Chancellor of the Exchequer. From accounts which he had that day received, he had been informed, that an improper interference on the part of Government had taken place in the election now going forward for the city of Dublin, and he wished to know from the noble Lord, whether such interference had the sanction of the Administration? Probably the noble Lord would reply in the negative, but the House would recollect, that on a previous occasion, the right hon. Gentleman, the Irish Secretary (Mr. Stanley), in reply to some observations charging the Government with an improper interference at the last election, had asserted, that no such interference had taken place, and when the report of the Dublin Election Committee was presented, it showed that a most undue influence had been exercised. He would, therefore, call upon the noble Lord to write that evening to the Irish Government, in order that no time might be lost, to put a stop to the undue influence which was now exercised at the Dublin election.

Lord *Althorp* replied, that he knew nothing whatever of any interference on the part of any member of the Irish Government with the election, never having, until that moment, heard of such a charge; and, therefore, he begged to decline communicating with the Irish Government in the manner suggested by the noble Lord.

Mr. *O'Connell* said, he had received communications from Dublin relating to the Dublin election. The noble Lord had misapprehended the right hon. Gentleman, the Irish Secretary, in what that right hon. Gentleman had said relating to the last Irish elections. He (Mr. O'Connell) had a perfect recollection of what the right hon. Secretary had stated, for he particularly noticed it at the time; and it was to this effect—"That there never was an election in which the Government interfered less." He was ready to bear his testimony to the accuracy of that statement of the right hon. Gentleman. In every election within his recollection, every Government had much more distinctly and unequivocally interfered than in that alluded to. Probably the question was put by the noble Lord for another purpose, as there was a report in Dublin about a change in the Administration, and something had passed about the declining popularity of the Reform Bill.

Lord *Stormont* was anxious to know whether the noble Lord would, upon the statement which he had made, and upon the accuracy of which he would pledge himself, that very evening write to Dublin to put a stop to such proceedings as those of which he had complained, inasmuch as no time should be lost.

Mr. *Lefroy* said, from information which he had that day received, communicating facts as to interference in the election, which interference was so objectionable, that he considered it the duty of Government to put a stop to it—he begged to state, that a Police Magistrate was sent for from the country, who had craved leave of absence on account of his bad state of health, to give his votes at the election. In addition to this, there had been interference of another kind. The Under Secretary for Ireland (Sir William

Gossett), had actually gone about with the candidates, canvassing for them. He did not know what was a gross and undue influence of Government at elections if this were not. He had these facts from a source upon which he placed the utmost reliance; and he hoped, that his Majesty's Government would do something to put a stop to such proceedings as he had described. He hoped, at all events, that the House would hear a declaration from the noble Lord, that such proceedings had not his concurrence.

Mr. *O'Connell* said, he could explain what was called interference with a Police Magistrate. The Committee of Mr. O'Loughlin and Mr. Latouche waited on Alderman Darley, who had voted for the Reform candidates, and proposed one of them on the last election, to ask him to propose one of the Reform candidates on the coming election; and this was what was called interference. He hoped Government would not say, that they would not interfere, as proposed by the noble Lord, for that would be to admit his charge, that they had been interfering. What the Secretary for Ireland had said on the occasion of the former election was, not as stated by the noble Lord, that there had been no interference, but that there had never been an election in Dublin in which there had been so little interference. What was really asked by the noble Lord was, that Ministers should interfere for the Corporation candidates. They had, no doubt, often heard of such interference, and even of considerable sums of money having been so expended.

Lord *Milton* concurred in what the hon. and learned Gentleman, who had just addressed the House, said. It was a singular course to take, to call upon his Majesty's Ministers to write to put a stop to certain proceedings alleged to have taken place, on the authority of letters, of which neither the contents, nor the names of the writers, were known to the House.

Mr. *Crampton* looked upon the matter as a mere election trick, and the noble Lord who had commenced the discussion, as well as the hon. and learned Gentleman who had spoken to the same effect, had been made the tools or instruments of a party. He very much wished to know, from whom the statement made to the House had come. He did not believe that Sir William Gossett had interfered at the election; and he wished to know who the individual was, that had maligned the character of that gentleman.

Mr. *Lefroy* said, that the statement which he had made he had received from a quarter incapable of wilful misrepresentation, and he repelled the insinuation that he had been made a tool of in the transaction. The two gentlemen, Mr. Latouche, and Mr. Sergeant O'Loughlin, might have interfered in the manner described by the hon. and learned member for Kerry, but, according to the information which he had derived from a friend, upon whose accuracy and responsibility he could rely, Mr. Alderman Darley had been written to by Sir William Gossett, requesting him to go to Dublin to give his vote. There was also another fact connected with Sir William Gossett's interference, which he had already named, and about which he had himself no doubt —viz., that Sir William Gossett had gone about the city of Dublin canvassing.

Mr. *Crampton* did not mean to cast any imputation upon the hon. and learned Member, but he would still persist in designating the affair as an election trick —probably emanating from the Corporation of Dublin. The hon. and learned Gentleman had not stated his authority, nor had he named from whom the information was derived respecting the alleged communication to Mr. Alderman Darley. It was, however, a well-known fact, that Mr. Alderman Darley had supported, at the last election, the Reform candidates, and if he were now called upon by a Committee, or any other person, friendly to the candidates, who were also favourable to the cause of Reform, to give his vote to them, he was only supporting his own character for consistency in that cause.

Lord *Stormont* said, he would give the authority on which he made the statement. It was that of a noble Lord, one of the candidates for Dublin, late a Member of that House. No one who knew that noble Lord's character would suppose, that he could be a party to an electioneering trick, or that he would allow himself to be a tool in the hands of others for such a purpose; and for his own part he was equally incapable of allowing himself to be made a tool of.

Mr. *Crampton* said, he must still persist in his opinion, that the affair was an election trick; but he must do the noble Lord, the candidate for Dublin (Lord Ingestrie) the justice to say, that he did not believe him capable of originating it, nor of wishing to make others instrumental in it. What he maintained was, that the noble Lord had been made a tool of: however the noble Lord who brought forward the subject (Lord Stormont) might dislike that phrase, he must be allowed to repeat it without meaning any offence—and must even affirm, that the noble Lord himself had also been made a tool of in the transaction.

Mr. *O'Connell* said, he had understood that Mr. Peter Fitzgibbon Henchey had written to some Members of that House, forwarding a statement relative to the Dublin election. For his part he was convinced, that the noble Lord, the candidate for Dublin, had been imposed on, as it was impossible to believe him capable of desiring to mislead the House; and he was of the opinion of the hon. and learned Gentleman, the Solicitor General for Ireland, that at the bottom the affair was an election trick.

The *Attorney General* said, it having been mentioned that Sir William Gossett had been actively canvassing—now that was a fact, supposing it to have taken place, which would be known to many individuals; but it had been asserted, that Sir William Gossett had written a letter to Mr. Alderman Darley; if so, it was undoubtedly a private letter, and how came that to be known? He should like to know who could feel himself justified in making known the contents of a private letter, unless it were done by the consent of the parties?

Mr. *Lefroy* said, that the hon. and learned Gentleman seemed to think, that the interference of Sir William Gossett was the only instance he referred to; but Alderman Darley had been seen canvassing in Dublin. The House, however, would hear more of the subject, and in a more formal manner.

Mr. *Sheil* observed, that the noble Lord (Lord Stormont) had given up his authority; but the hon. and learned Gentleman (Mr. Lefroy) had not followed the noble Lord's example.

Dr. *Lushington* rose to order. This course was contrary to all the rules of proceeding which had been acted upon since he had had a seat in the House. The noble Lord (Stormont) had asked a question of a most extraordinary nature, and the discussion which was now going on would lead to the greatest inconveniences.

Sir *Thomas Fremantle* thought, that the question, which was a grave and important one, had been treated with a degree of levity on the Ministerial side of the House which the subject would not warrant. If the charge had come before the House in a confirmed statement, then doubtless it would be the duty of the House to take up the matter with a view to ulterior proceedings. Had the hon. Members who sat opposite been on the Opposition side of the House, and had such a charge been made against any party in the Government, they would have exercised more vigilance than at present; and would not have treated the question as one of no moment. He had the honour of being acquainted with Sir William Gossett some few years ago, and he believed him to be a very honourable man. He hoped, that the statement made affecting him had been somewhat exaggerated by the parties communicating with the hon. and learned Gentleman who had spoken to that statement. He thought it would be more becoming in that House, instead of requiring the noble Lord to cause a letter to be sent to Dublin, at once to take up the matter, and send one of its own messengers—to stop the interference of Sir W. Gossett in the election. For if the matter were long delayed, the election would be terminated, and the interference would be like locking the stable-door after the horse was stolen.

Mr. *Warburton* expressed great surprise at the suggestion just made, and would put it to the hon. Baronet, whether he could seriously wish that House to pass a resolution such as must take place were his suggestion acted upon, without having any evidence before it, excepting the statement of an hon. Member, founded upon what was to the House an anonymous communication?

Sir *Thomas Fremantle*: It was not anonymous. An hon. Member stated, that an individual had been seen canvassing.

Mr. *O'Connell*: Yes, but the name is withheld. It is a private letter, and not to be made use of.

Mr. *C. W. Wynn* observed, that if any hon. Member, on his responsibility, brought forward a complaint against an officer of Government, of improperly interfering with an election, it was a subject for the House to consider, if it was pressed.

Lord *Granville Somerset* said, they were placed in a peculiar situation with regard to the Dublin election. They had evidence that persons connected with Government had unwarrantably interfered, and they were bound to provide against the recurrence of the evil. If election tricks had been resorted to on one side, they had been equally resorted to on the other.

Question, that the Reform Committee sit again on Tuesday, agreed to.

HOUSE OF LORDS,

Monday, August 22, 1831.

Minutes.] Bill. Plurality of Benefices, committed.

Petitions presented. By the Marquis of Londonderry, from the Inhabitants of Glenarvon, Antrim, in favour of continuing the Grant to the Kildare Street Society. By the Archbishop of Canterbury, from the Clergy of Ospringe and Feversham, to prohibit Beer-shops being opened on Sundays.

The Coronation.] The Marquis of *Londonderry* said, he would take the present opportunity of correcting an error which had gone abroad respecting what passed on a former evening relating to the Coronation. He believed, that the noble Earl opposite had stated, that the peers were to do homage to their Sovereign in the same manner as at the Coronation of George 4th., and not of George 3rd.

Earl *Grey:* I said George 3rd.

The Marquis of *Londonderry* then wished to inquire, whether the noble Earl had taken into further consideration the suggestion which had been made by the noble Viscount on a previous evening, as to the procession of the peeresses. From all the information he could collect, he believed, that such a ceremony would very much tend to aid the tradespeople in this town. He believed, that if the noble Earl, or the select vestry of the Privy Council, to use the words of a noble Viscount, continued in their determination of smuggling in the Peeresses by Poets' Corner, and herding them together, where they could not be seen, depriving them, thereby, of all motives to spend large sums of money on their trains and other decorations, the ceremony would be found to be extremely unpopular among the fair class of visitors. As he believed that the arrangement of the affair depended on his Majesty's gracious pleasure, and not upon the will of the noble Earl opposite, or his select vestry, he wished to know whether the noble Earl had made any representations to his Majesty on the subject, in consequence of the suggestion of a noble Viscount, and whether it was intended to allow the procession to take place? He thought that a procession was more especially requisite on the approaching occasion, because her Majesty was to be present, whereas the last Coronation was not attended by any Queen.

Earl *Grey* repeated, what he had stated before, that the homage was to be paid according to the precedents of George 3rd, and George 4th. With respect to the question put by the noble Lord, relative to the procession of Peeresses, he begged leave to refer the noble Lord to the orders given to the Earl Marshal.

Viscount *Strangford* said, that even at the risk of seeming importunate, he would beseech the noble Earl to take into consideration the question of the Peeresses' procession. He would tell the noble Earl, that this was no trifling matter. The tradespeople of this metropolis were discontented with the parsimony of the noble Earl. If this part of the ceremony were to cost the country one farthing in the way of additional taxation, he should be the last man in the House to propose any thing of the kind; but the truth was, that this procession, by taking the money out of the pockets of the rich, and putting it into the pockets of the poor, would enable the poor to pay the taxes, and thus benefit them and the revenue at the same time. The fact also was, that the manufacturing poor wanted bread. They had now an opportunity of earning some, and he knew that the noble Earl was too good a patriot to allow that opportunity to be lost. What, after all, would be the expense of a few hundred planks to make a platform? He would drive a bargain with the noble Lords opposite, and in order to obtain the suffrage of one of their colleagues, he would propose that the platform should be made of Baltic timber, instead of British Canadian. He was perfectly disinterested on this subject. He, unfortunately, had no lady for whom he felt sufficient interest to warrant him in thus troubling their Lordships. But many of their Lordships had ladies, and it was their bounden duty to gratify their ladies in all possible ways, as far as was consistent with the public service. Now if he should have the honour of being consulted by any of those noble ladies, he protested that he should advise them not to give their noble Lords any peace, by day or by night, until they had carried their point, and were allowed to display their trains at the Coronation, as voluminously and gorgeously as ever their grandmothers or great-grandmothers had done before. He did entreat the noble Earl not to consider this as a laughable matter. The noble Earl would do more for the manufacturers of Spitalfields, if he enabled them to provide half a dozen comfortable meals for their families, than if he empowered them to send half a dozen Members to Parliament. Let them have the benefit of second thoughts, for second thoughts were oftentimes excellent; and as there was an amended Reform Bill, why should there not be an amended programme of the Coronation?

The Marquis of *Clanricarde* said, that if there should be any parsimony, or any saving of the money of the rich at the ensuing Coronation, the blame would not belong to his Majesty's Ministers, or to the Privy Council; because the ladies, whether they sat with their trains under them all day long, or walked about till they were tired, must still wear the same costume. The persons of whom the artisans of this town would have to complain, would be those noble Lords, who, by going into the country and absenting themselves from the Coronation, would avoid spending any money on decorations.

The Marquis of *Londonderry* rose, but was interrupted by exclamations that there was no question before the House. He said that he had only one observation to make. He apprehended that if there should be no procession, there would be no occasion for trains at all.

The conversation ceased.

IRISH YEOMANRY.] The Earl of *Wicklow* rose to put certain questions to the noble Earl opposite, on the subject of the Yeomanry in Ireland. The question was of so important a nature, that he was only deterred from entering at large into the discussion, of it from a conviction of the great inconvenience of such a proceeding, upon the mere putting a question. He would, however, state the reasons which induced him to bring the subject under the notice of the noble Earl opposite. He had learned from the public press, and public rumour, that communications had taken place in the course of last week between several Irish Members of Parliament and his Majesty's Government, on certain subjects connected with Ireland, and particularly the disbanding of the Yeomanry corps. He was perfectly ready to believe, that those gentlemen were influenced by the best feelings and the most patriotic motives; but he must declare his opinion, that the system of gentlemen of the House of Commons banding themselves together for the purpose of intimidating and browbeating the Minister of the Crown, and drawing from him concession, whether right or wrong, was exceedingly unwise, unjust, and unconstitutional. The natural effect of such a proceeding would be, to cause combinations to be formed on the other side; and the consequence to the peace and tranquillity of the country would be most unfavourable. The proper sphere for Members of Parliament to exercise their abilities in, was the House to which they belonged, and he could say, that ever since he had been a Member of Parliament, he had found every disposition on the part of the gentlemen of this country to co-operate in any measure for the benefit of Ireland. The first meeting of the Members of Parliament who had so combined with the Ministers, took place at the house of the noble Earl opposite, and he was struck with the honest and manly manner in which the noble Earl had conducted himself on that occasion. But, unfortunately, on the next day he had reason to alter the good opinion which he had formed of the noble Earl's conduct; for he learned that another meeting had taken place, and he found that the firm and dignified Minister had become—*quantum mutatus ab illo!*—the timid and acquiescing placeman. The noble Earl was reported to have offered conditions and made concessions. He was reported to have proposed to disarm the Yeomanry of Ireland—or at least to place their arms in dépôts—form the corps into battalions resembling the local militia of this country, and place them under the command of the new Lord-lieutenants of counties. If such a proceeding were adopted, it would be tantamount to disbanding the Yeomanry, because that high-minded body of men, it was evident, would never consent to such conditions. Let him ask what was the nature of this force? Was it a force which the party in power had uniformly condemned, holding it preferable to increase the standing army rather than employ the Yeomanry? By whom had the Yeomanry been called out to preserve the peace of Ireland? By this Government. By the present Government, they had been employed to preserve the peace of the country, and after having performed that duty, they were now to be handed over to the mercy of those who had ever been their greatest enemies. This was the recompense they were to receive for the services which they had rendered their country. He begged leave to be understood as not standing up as the advocate abstractedly of such a species of force. If it had never existed, if it had never been called out, he should certainly hesitate a good deal before saying, that such a species of force ought to be established. But the question of disbanding that force after it had been established was a very different thing. The Yeomanry had, on former occasions, performed great services to their country, and perhaps the time was not far distant when they would be required to perform some similar services. It was pretty evident that Government must have been under serious alarm with respect to the peace of Ireland; because, in calling out the Yeomanry corps, they were acting in violation of the principles of one of their colleagues (the President of the Council), whose last act, previous to retiring from office in 1828, was to abolish the Yeomanry corps in this country. That was a proof that they must have considered the state of the case urgent. Another reason which led him to believe, that Government had felt alarmed with respect to the state of Ireland was, that a bill, the most unconstitutional and tyrannical ever proposed to a British Parliament, had been presented to the other House by the organ of the Ministry there. But it might be inferred from the conduct of Government towards the Yeomanry corps, and by their allowing that bill to lie dormant on the Table of the other House, that Government no longer felt any alarm on the subject of Ireland. To whom, then, were they indebted for this beneficial change? It was to the Yeomanry alone that they owed the maintenance of peace? He could assure their Lordships that he looked with apprehension to the effect which the reports he had alluded to might produce in different parts of Ireland. In the North, where Protestantism prevailed, the reported intentions of Government would be received with contempt. They would be met, not perhaps by a determination of resistance, but certainly by resolutions to counteract and defeat them. Besides, there was nothing to prevent the Yeomanry from arming themselves, and then they would be free from that responsibility which at present attached to them. With respect to the South, where the number of Protestants was few, his apprehensions were still more alarming. The effect produced there would be that of excessive intimidation. In that part of Ireland the Protestants all belonged to the Yeomanry. There was no reason to prevent the Roman Catholics from belonging to the Yeomanry too; but as regarded the Protestants, they were all in the Yeomanry. When they found that they were deserted by the Government to which they had hitherto looked for protection—when they found that they no longer had the security, more imaginary than real, of being embodied together in corps—they would be driven to desperation; they would be obliged to abandon their religion or their country, and would seek in exile that security which they no longer enjoyed at home:—

> "Exilioque domos et dulcia limina mutant,
> Atque alio patriam querunt sub sole jacentem."

He was aware of the difficulties which Government had to encounter in taking any measures with respect to Ireland; and he should be glad to concur with Ministers in any proposition for the benefit of that country; but he should be sorry to see them brow-beaten by any faction. He therefore wished to know whether it was correct that the noble Earl had declared that Government meant to disarm the Yeomanry of Ireland, to place their arms in dépôts, or to form them into battalions?

Earl *Grey* said, that agreeing as he did with the noble Earl who had just sat down, both as to the inconvenience and impropriety of discussing a subject of this nature on the simple asking of a question, he could not but regret, that the noble Earl had deviated from the rule which he had laid down for himself in the beginning of his speech, and had gone into a considerable discussion, not only on the establishment of the Yeomanry corps in Ireland, but also on the conduct of his Majesty's Government with respect to those corps, on which latter subject the noble Earl appeared to him to be very incorrectly informed. In what had fallen from the noble Earl in the other parts of his speech, he (Earl Grey) certainly concurred. He had to lament, with the noble Earl, the prevailing fashion of introducing into the public prints communications which had taken place on a matter of this nature, and which were never intended for publication. By whose fault those communications had found their way to the public, he did not know. He certainly had no concern in the publications on this subject which had appeared. He did not admit their authenticity, and he condemned, as strongly as the noble Earl, the practice of which the noble Earl had complained, and which had grown up to a most inconvenient height. The noble Earl had referred to two communications which had taken place with Government on the subject of Ireland; and he had deprecated another practice, certainly not less inconvenient than that which he had just noticed—namely, the association of certain Members of Parliament, for the purpose of conveying to his Majesty's Ministers intimations, that if such or such conditions were not complied with, they would be found in opposition to the measures of Government. He certainly agreed in the observations which the noble Earl had made on this subject. He could not approve of any such proceedings. For himself he would say this, that as long as he had the honour to hold the situation which he at present filled, those intimations would have no effect on his mind; and the noble Lord had, with respect to the particular case to which he had alluded, done him the justice to say, that he had answered the deputation which waited on him, in a manner becoming his situation. He certainly did feel it his duty distinctly to state, that if any threat of that kind was held out, he was prepared to meet the consequences: that it might be in the power of a number of persons, by combining against the Ministers, to force them from their situations, and that, if that should happen, he should have much less unwillingness to relinquish office than he had felt originally in accepting it; and he further stated, that he possibly might be forced to concur with those from whose policy he most dissented, in order to oppose measures tending to a separation of the different parts of the kingdom, which he felt confident would have the worst effect on the peace and happiness of the whole. At the same time he explained, as he thought himself bound to do, in common courtesy towards a deputation of Members of Parliament, his general views on the state of Ireland, and what measures, in his opinion, might be taken for the relief of that country. Among other things, he undoubtedly did state, that there was in the contemplation of Government a measure for adopting new regulations with respect to the Yeomanry of Ireland. This measure had been in the contemplation of the Government long before the meeting in question was thought of; but as to any disarming or suppression of the Yeomanry corps, that was not a measure for which he was prepared. This was what passed at the meeting at which he was present. The noble Earl had referred to another meeting, at which the noble Earl supposed that he had been present. He could, however, assure the noble Earl, that he was not present at that meeting, but he believed the object of it was, to make some communications with respect to the measure, which it had been thought might be useful in re-modelling the Yeomanry of Ireland. What that measure was, whether it was a right, or whether a wrong measure, as the details were not before their Lordships, and probably might never come before them, he did not think he was at present called upon to say. Thus much, however, he would state, that whatever measures were in the contemplation of Government, it was the furthest possible from their intention to do anything which could appear like an insult to the Yeomanry, or anything that might express an opinion, or convey an imputation, which would, in any degree, hurt their sense of honour, of which the noble Lord had so highly spoken, or detract from the value of the services which they had, on many occasions, rendered the country. He had, therefore, only to say, that though the measure to which he had alluded, had been in the contemplation of Government, yet what had passed on the occasions referred to by the noble Lord, as well as on the present occasion, did not make him feel inclined, as one of his Majesty's Ministers, to persevere in proposing that measure. With respect to the Yeomanry of Ireland, he had only to state, that it was far from his wish to say anything which might injure the feelings of that highly important body; but he must freely and candidly declare, in answer to the noble Earl, if the noble Earl wished to know his opinion with respect to that description of force, that experience had convinced him, that whatever might have been its merits on particular occasions—whatever might be the patriotic spirit by which the members of the corps were actuated—whatever might have been the advantages rendered the country by that body on certain occasions—that species of force was not one which was attended, on the whole, with advantage to the country. The disadvantage of that species of force was obvious. With the anxiety which the members of it felt to support the Constitution of the country—with the zeal and ardour with which they embarked in that service—there were, unfortunately, too often mixed, from local circumstances, other feelings of party spirit and personal hostility, which sometimes produced the most lamentable consequences. Another evil was, that when they were called out to act against a spirit of insubordination in the country, the feelings which were excited did not subside when the occasion was over, but remained in the minds of the people, ready to break out at a future opportunity. He had already stated, that he did not mean to concur in, or propose, any measure, that tended to a sudden abolition of those corps, yet he certainly did think, that the general security of the country would be better provided for by other means; and whatever taunts the noble Earl opposite, or any other person, might think fit to throw out against him, with respect to a change in his opinion on the subject of a force of this description, or an increase of the standing army, he certainly had no hesitation in declaring, that if any further military force for the maintenance of internal tranquillity should be required—(a most lamentable necessity he acknowledged it to be)—he should infinitely prefer the extension of the regular police force of the country, or an increase of the standing army, however unpopular that expression might be, to the assistance of those corps, against which, however, he begged leave to say, in order that he might not be misunderstood, that he threw out no imputation whatever. He had said thus much, perhaps more than was suited to the occasion, in answer to the noble Earl; but if he had done anything inconsistent with the convenience and orders of the House, he had been led into the proceeding by the noble Earl opposite, for it was impossible for him to suffer all that the noble Earl had said to pass without notice. It only remained for him to add, that Government had no intention of introducing any measure of the description which the noble Earl imagined, for the disarming and extinction of the Yeomanry of Ireland or England, or any measure which would be injurious to their feelings, or derogatory to their sense of honour. He had no local feelings on a question of this nature. What he had said with respect to the Irish Yeomanry, was equally applicable, in his mind, to the Yeomanry of England; and he should have expressed his entire concurrence in the measures formerly taken by his noble friend (the Marquis of Lansdown) with respect to the Yeomanry, if he had had an opportunity of so doing at the time. It might be satisfactory to the noble Lord to learn that his Majesty's Government were determined not to govern Ireland by anything like a party spirit; and whatever measures might be taken for the peace and advantage of that country, every thing like party spirit would be avoided.

The Earl of *Wicklow* said, that if he had committed any irregularity in originating this discussion, he felt no regret at having done so, because he had been the humble means of drawing from the noble Earl one of the most satisfactory statements he had ever heard, which would do more good in Ireland than a hundred Acts of Parliament.

The Marquis of *Lansdown* said, that he should not have taken part in the present conversation, had not the noble Earl opposite stated, that before the noble Earl at the head of the Government could have had recourse to the services of the Yeomanry, he must first have overcome the scruples of one of his colleagues. The noble Earl seemed to think, that because he had formerly proposed what the noble Earl was pleased to call the extinction of the Yeomanry corps of England, that he should be favourable to the same course with respect to the Yeomanry of Ireland. Now the noble Earl was greatly misinformed, if he supposed that the measure which he (the noble Marquis) proposed, when he held the office of Secretary for the Home Department under a former Administration, had for its object the extinction of the Yeomanry corps of England. On the contrary, that measure related to its partial diminution, on the score of its expense in some districts compared with its amount and efficiency. It was preserved, and usefully preserved, in those districts where, from the state of the population, the services of the Yeomanry might be required. It was preserved in that state in which he should wish to see it preserved in some parts of Ireland, where, from their insular position, the Yeomanry corps might sometimes be called out without that efficient control over their movements which was so necessary for the public service. When he had proposed that the Yeomanry corps should be so continued, he could not be supposed to wish for their extinction, still less could he be supposed to have that wish when it was recollected, that he was the humble adviser, that the Yeomanry should be called out in that county of which he had the honour of being the Lord-lieutenant, and with respect to which he had the happiness to say, that its services had been applied with complete success; for he had the satisfaction of knowing, that the corps whose services had been so required, had not been more distinguished by the zeal with which they came forward, than by the temper and moderation which they evinced in the discharge of their duty, and for which they received his Majesty's thanks. These corps were kept up in that state which did not render them liable to that objection which existed against some corps, of being called out, or of calling themselves out, without that regimental control so necessary to the efficient performance of their duty. He had felt it necessary to say this much as to what fell from the noble Earl, who had altogether misunderstood the measure which he had brought forward when he had the honour to hold the office of Secretary of State for the Home Department.

The Marquis of *Londonderry* could not, as an Irishman, refrain from expressing his thanks to the noble Earl (Earl Grey), for the statement he had made, which, he must say, was likely to be productive of much benefit to Ireland; for certainly it would be a most mischievous course to put down the Yeomanry corps in that country. He would now say a word as to the character of those Irish Members who had made the application to the noble Earl. They consisted chiefly of the Catholic Members, or those who represented the Catholic feeling in Ireland such as Sir John Milley Doyle, Mr. Daniel O'Connell, O'Connor Don, Mr. James Lambert, Mr. Wyse, Mr. R. M. O'Ferrall, Mr. R. L. Sheil, Mr. Alexander Dawson, &c. &c. These hon. Members might represent the feelings of the province of Connaught, but he had no doubt, that if those Members who represented the other parts of Ireland were assembled, they would differ much from the opinions which those Members expressed. If the opinions of these hon. Members, who might be said to represent the Catholic interest in Ireland, were to prevail, they would have the effect of renewing those feelings of irritation for which it was thought, that the settlement of the Catholic Question would be the *panacea*. He considered it highly improper that any set of Members should go to the Minister of the country, and state, that if he did not submit to such and such a course, they would oppose him, not on one, but all questions. Was this consistent with that due consideration which a Member was bound to give to every measure on its own merits? The House of Commons was the proper place for Members to state their objections to any measure that might be brought forward; but from the public Journals, he perceived that this application was made in private. He hoped, that this would be a warning to others how they made such applications. He regretted that these Members were influenced by that unfortunate person—for unfortunate he would call him—who had raised the minds of his countrymen to a state of desperation before. He hoped, however, the noble Earl would be on his guard against him, and recollect how he had deceived the noble Marquis at the head of the Irish Government. He hoped the noble Earl would recollect what this person had stated in his last Letter to the people of Ireland. This union of some Irish Members put him in mind of that Parliamentary Association which they had had in Ireland, and he could not but think, that it was most degrading to those Members who took a part in it. Let the noble Earl at the head of the Government recollect what was the language of that person to whom he had alluded, on the Question of Parliamentary Reform. That Question must, indeed, be at a discount, if it required the support of twenty or thirty Members to carry it. The individual he had alluded to (Mr. O'Connell) said, in the last Letter he had addressed to the people of Ireland:—"That in framing the Reform Bill, his Majesty's Ministers have been actuated by a latent, if not avowed disposition to treat the people of Ireland with indignity, by a determined disregard to Irish interests, and a vile jealousy of giving constitutional rights to the Irish people, by a foolish imagination that they can with impunity treat Ireland with supercilious contempt and ignominy—by the presumption which leads them to think that the Irish people would submit to be treated in this manner, by the opinion that the Irish are like the eels, accustomed to be skinned alive—by contemptuous injustice towards the towns and counties of Ireland—by disgusting unfairness—by gross partiality." Yet this was the man, who could so write against the Government, to gain whose support, and that of the Members he carried with him, it was expected that Government should listen to the suggestions made with respect to the extinction of the Yeomanry of Ireland, The noble Marquis was proceeding to advert to the conduct of the Lord Lieutenant of Ireland, with whose conduct (as we understood the noble Marquis) he did not find fault, except in his late unconstitutional interference in the election at Dublin—when

The Duke of *Richmond* rose to order. He observed, that it was irregular in the noble Marquis, on the occasion of a question put by another noble Lord, to enter at length, not only into that subject, but also into a number of others which had no connexion with it. If this course were to be permitted, there would be no regularity in their Lordships' proceedings. The noble Marquis had alluded to the conduct of the Lord Lieutenant of Ireland on the late election for Dublin. Now, whenever the noble Marquis should think proper to bring that subject before the House, he should be prepared to show, that the charge made against the noble Marquis at the head of the Irish Government was altogether without foundation; but he submitted, that it was not regular to introduce it in this way.

The Marquis of *Londonderry* said, that when the noble Duke called him to order, he should himself be acquainted with the forms of the House. If he were out of order in commenting on the subject of a question asked, so was the noble Marquis, the President of the Council, whom the noble Duke did not call to order. He contended that he was not out of order [*cries of " Order.*"]

The Earl of *Shaftesbury* (who sat as Speaker), said, there was no question before the House.

Lord *Holland* said, that the noble Marquis did not appear to recollect, that there was no question before their Lordships. It was true that the courtesy of the House admitted a question to be put by a noble Lord to any Member of his Majesty's Government. The object of that permission was to save time, since it was frequently found to be a summary way of obtaining information on which an ulterior parliamentary proceeding might or might not be founded. But there was a great difference between allowing a simple question and answer, and permitting other noble Lords to enter into a discussion, involving a variety of extraneous matter. It might be convenient not to be too strict in such matters, but he must say, that he thought the noble Marquis was abusing the privilege when he made a speech which had little connexion with the subject of the question put by a noble Earl to his noble friend, but in which he went into an excursive consideration of all the various topics connected with Ireland. He by no means wished for an abolition of the practice to which he had been alluding; but he thought it ought to be kept within certain bounds. In his opinion it would be a wholesome regulation if the privilege were confined to the noble Lord putting the question, and the noble Lord giving the answer.

The Marquis of *Londonderry* thanked the noble baron for the kind manner in which, on this as on all other occasions, he put his suggestion. He had not conceived himself out of order in speaking on the subject, after what fell from the noble marquis (Lansdown); but as he should have other opportunities of adverting to the subjects to which he referred, he would not press them further at present.

The Marquis of *Westmeath* said, that the noble Marquis had alluded to the parties whose names he had read as being Catholic. Now the fact was, that Sir John Doyle, Mr. Dawson (the member for Louth), and several others who attended the meeting, were Protestants. He mentioned the fact only to show, that if he wished to draw any inference from the fact, he was in error with respect to it.

The Marquis of *Londonderry* had not described all those members as Catholics, but only as persons who were disposed to take exaggerated views of Catholic interests.

Earl *Grey* said, that no suspicion could be attached to the motives of the individual who was at the head of the party who had called on him. It was but justice to add, that the whole of the hon. members had communicated with him in the most amicable manner.

Here the subject dropped.

POOR RELIEF BILL.] The Duke of *Richmond* moved the second reading of this Bill, which, he observed, was a measure for more effectually providing employment for the poor. It was not necessary for him on this occasion to trouble their Lordships with more than a few remarks. From the evidence before a Committee which sat on this subject, it appeared, that in many parts of the country a large portion of the labouring poor were thrown out of employment for a considerable part of the year. On those occasions they applied to the Overseers of their respective parishes, who sent them to work on the roads, where, in fact, no work was required. Now his object was, to enable Overseers to provide those parties with employment, which would enable them to maintain themselves with less expense to the parish. For this purpose it was his intention to extend the twelfth clause of the 59th George 3rd., by which Overseers were empowered to take leases of lands for the employment of the poor. He wished to allow them to take larger quantities of land for that purpose. There was also a clause, the 27th of the 22nd George 3rd., chapter 83, by which Overseers were allowed to enclose commons, with the consent of the Lord of the Manor, to the extent of ten acres. He proposed to give them permission to do so to the extent of fifty acres. He meant to give also the same power to Guardians of the poor as that law vested in the Overseers. Another clause would provide to lands hired under this Act, and a third would prevent any person holding such land from gaining a settlement by means of it. He did not wish to raise expectations by the Bill, but he had reason to believe that it would do some good. He did not hope that it would cure the evils of the Poor-laws, but at least it would prove to the labouring poor, that the Legislature was not inattentive to the improvement of their condition. Bill read a second time.

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HOUSE OF COMMONS,

Monday, August 22, 1831.

MINUTES.] Bill. Read a third time; Canadian Revenue.

Petitions presented. By Sir JOHN JOHNSTONE, from the Trustees of the Poor, Wakefield, against the Settlement of the Poor Bill. By Mr. CORRY, from the Minister and Inhabitants of Aughaloo for continuing the Grant to the Kildare Street Society.

CASE OF MR. AND MRS. DEACLE.] Colonel *Evans* rose to present a Petition from Thomas and Caroline Deacle, of Marwell, Hants. The gallant Member said, that it would be in the recollection of the House, that he had, on a former occasion, brought the petitioners' case before the House, when he moved for copies of the proceedings in two trials, in one of which the petitioners were defendants, and in the other of which they were the plaintiffs, and Mr. Bingham Baring and others were defendants. On that occasion he stated distinctly, that he had no knowledge whatever of the case, except what he had gathered from statements in the public papers. He also declared, that he was totally unacquainted with any of the parties, and had studiously avoided having any intercourse with them, in order that his mind might not be biassed by *ex parte* statements. It was his opinion, that the circumstances of the case, as they were detailed in the public papers, were sufficiently grave to demand inquiry, not so much with respect to the interests of individuals, as because they involved a serious question respecting the liberty of the subject, and magisterial authority. It certainly appeared to him, that the interest of the individuals concerned, as well as of the magistracy throughout the country, required that the documents which he moved for should have been granted, and he was not prepared for the course which the debate took on that occasion. Though he had avoided *ex parte* statements, other members were not so abstinent, and *ex parte* statements were made from the documents which he moved for, and the greater part of the discussion was criminatory of Mr. and Mrs. Deacle. The petitioners now came forward to represent, that they had suffered serious injury from the statements which were made in the House on that occasion, and they had consequently requested him to bring before the House the petition which he now held in his hand, for the purpose of affording them an opportunity of vindicating their characters. When he brought forward his motion, he was told that Mr. and Mrs. Deacle had made co-defendants with Mr. Bingham Baring all the persons who could have given evidence in his favour. But he found, upon inquiry, that there were five persons, including a gentleman named Jervis and, three constables, who witnessed the whole transaction, who were not included in the indictment, and who might, therefore, have been called as witnesses by Mr. Bingham Baring, if he had thought proper to call them. In the course of the debate, testimony was given in favour of Mr. Baring's character, but he thought, that such testimony, when opposed to facts which had been proved twice over in a Court of Justice, was not very satisfactory. If the papers which he moved for had been granted, and he had found that they made out a case against Mr. Baring, he had intended to have moved an Address to the Crown, to remove him from the Commission of the Peace. The House was fully in possession of all the circumstances connected with the arrest of Mr. and Mrs. Deacle, and the subsequent trial of the former. He did not think it was candid on the part of the prosecutors, to stop the trial against Mrs. Deacle, when they found that they had no case against her. They ought to have allowed the trial to have proceeded, and thus have offered her and her husband an opportunity of vindicating their characters. The House was also aware, that Mr. and Mrs. Deacle brought their action for false imprisonment against Mr. Bingham Baring, and obtained a verdict. This action was tried by a Special Jury, composed of gentlemen of some station in the county in which Mr. Baring's family possessed great influence on account of their high character and wealth. Such a Jury would not be unwilling to look with favour upon any circumstances in extenuation of Mr. Bingham Baring's conduct; nevertheless, they returned a verdict against him, with damages, though they were small. The Judge who presided on the occasion, told the Jury, that nothing had appeared which could implicate the character of Mr. and Mrs. Deacle. He (Colonel Evans) did not impute to Mr. Bingham Baring more than that he had exhibited great want of temper. When he moved for the papers, the discussion took a course which left the characters of Mr. and Mrs. Deacle under imputation, and he had been the means, unintentionally, of doing them an injury. The hon. and learned member for Newark appeared to attribute conduct of the most opprobrious nature to Mr. Deacle, and coupled his name with that of a man named Boyce, who had been convicted of felony. The hon. and learned Member had since told him, that he had been quite misunderstood; that he had no intention of throwing any aspersion on the character of Mr. and Mrs. Deacle, and that he had only put a hypothetical case. He (Colonel Evans) and others, who were not accustomed to the refinements which were familiar to the gentlemen of the law, had supposed that the hon. Member meant the House to believe, that Mr. Deacle had been guilty of all that was imputed to him. The petition which he was about to present to the House, detailed some circumstances with which he was previously unacquainted, of a very grave character. The petitioners stated, that during their imprisonment, letters sent to them were destroyed by the gaoler, though one of them contained an offer of legal assistance. The petitioners also represented, that, on the trial in which Mr. Deacle was defendant, a witness, named Collins, on his cross-examination, could not deny, that he had said, that he knew nothing against Mr. Deacle, and, upon being asked, whether he did not believe, that he would have been prosecuted himself if he had not promised to give evidence against Mr. Deacle, he said, that he believed he should have been prosecuted, if he had not made such a promise; that another of the witnesses, of the name of Barnes, a carpenter, upon his cross-examination, stated that, during the trials under the Special Commission, he being in the dock, and about to put upon his trial, the Gaoler, Beckett, called him out, and took him into a room where there were Walter Long, a Magistrate, and another person, whom he believed to be Mr. Bingham Baring, who told him, that he should not be put upon his trial, if he would come and swear against Deacle. It appeared to him to be necessary to the credit and honour of Mr. Bingham Baring, that these allegations should receive some explanation. The petitioners likewise adverted to statements contained in publications, purporting to be reports of speeches made in the House of Commons by Mr.

Francis Baring and Mr. Serjeant Wilde, and declared, that those statements were false, and entirely destitute of foundation, and they expressed their readiness, with the permission of the House, to substantiate that declaration.

The *Speaker* here called the hon. Member to order, and remarked to him, that this petition did, in fact, comment on proceedings in that House, and denied, as false and malicious, allegations, which, upon the faith of the public channels of information, the petitioners took for granted had been made in that House, and which they considered defamatory of their character. Under these circumstances, he did not conceive the House could receive the petition; and he considered, that the hon. Member was pursuing a line of argument which could only end in one of two things—in the House's rejecting the petition, or else establishing a new precedent, by receiving it.

Mr. *O'Connell* could not agree with Mr. Speaker, and said, whatever technical objections might be urged against the petition, still it contained a statement of facts, which, in his opinion, ought to be laid before the House for inquiry and investigation.

The *Speaker* said, that he had not drawn any inference of his own, but left the suggestion which he had thrown out, to the decision of the House. His object in interrupting the gallant Officer was, lest the gallant Officer, in stating certain matters contained in the petition, the accuracy of which, perhaps, the petitioners could not bear out, should raise a difficulty in the way of receiving the petition.

Mr. *O'Connell* again observed, that the petition contained other matter, namely, a statement of facts, which ought to be received.

The *Speaker* said, the best way, perhaps, would be, as proper notice on the subject had been given to the gallant Officer, to allow him to proceed, and to wait till the petition was brought up, when the House could decide whether it fell within the line which he had pointed out.

Mr. *Hume* said, he had read over the petition, and his first impression was, that it was free from any technical objection.

Mr. *Francis Baring* wished the petition to be received and laid on the Table.

Colonel *Evans* said, the petitioners did not presume to say, that the language attributed to hon. Members had actually been used by them—they only stated, that it had been so represented. Under all the circumstances of the case, he would not trespass further on the attention of the House. He begged leave, however, to make one observation with respect to the part which the Press had taken on this occasion. In his opinion, if there were any case in which the conduct of the Press was not culpable, this was the emphatic case; and he would say, much as he respected both Houses of Parliament, that they would be inefficient for the correction of abuses, without the aid of the Press.

The Petition brought up, and read at length, as follows:—

"TO THE HONOURABLE THE COMMONS OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, IN PARLIAMENT ASSEMBLED:

"The humble Petition of Thomas and Caroline Deacle, of Marwell Farm, in the parish of Owsellbury, in the county of Hants—

"Showeth—That your petitioners have read with inexpressible indignation, in the public newspapers, numerous allegations made against them, which are wholly false, scandalous, and malicious, calculated to blast their characters, to injure their pursuits in life, and utterly to destroy their peace of mind.

"That, amongst these false and scandalous allegations, Mr. Francis Baring is represented as having described your petitioner, Thomas Deacle, as one who, during the late disturbances in this county, incited men to machine-breaking, encouraged them to demand a reduction of tithes, and accompanied them illegally to demand money, and was with them when they received money thus extorted: that your petitioner, Caroline Deacle, was a person who employed the influence of her sex, and the power of her station, to ruin the poor and ignorant who lived in her neighbourhood, and that she was present with a mob when they demanded, extorted, and received, money.

"That amongst these false and scandalous allegations, Mr. Thomas Wilde, Sergeant-at-Law, is represented as having said, 'in one case the mob went to the house of a Mrs. Long, headed by Deacle and Boyce, and having compelled her to sign a paper for the reduction of rent, they afterwards demanded money. Fifteen pounds were at first demanded, but they afterwards consented to take five pounds; and after having spent the day in making collections of this kind, they adjourned to the Downs, when Mr. Deacle and Mrs. Deacle, who were with them, superintended the distribution of the money.'

"That your petitioners most solemnly declare to your Honourable House, that every thing expressed in the words above recited is utterly destitute of truth; that it is false in matter as well as in expression; that there is not a shadow of ground for either of the above allegations; and that your petitioners, if your Honourable House should think proper to permit them so to do, will clearly prove, at the bar of your Honourable House, the perfect truth of the denial which they here give to those allegations.

"That your Honourable House ought to be informed, that an indictment was, just at the close of the session of the Special Commission, preferred against your petitioner, Thomas Deacle, but not against your other petitioner, Caroline Deacle; that a true bill was found, but that the Commission was suffered to expire, without bringing your petitioner to trial; that the indictment was brought on for trial at the last Lent Assizes, at Winchester; that the prosecutors produced the whole of their evidence; that one of their witnesses, of the name of Collins, on his cross-examination, acknowledged that he would not say, that he had not said, that he knew nothing against Mr. Deacle; and, upon being asked whether he did not believe, that he would have been prosecuted himself if he had not promised to give evidence against Mr. Deacle, he said, he believed he should have been prosecuted, if he had not made such promise; that another of the witnesses for the prosecution, of the name of Barnes, a carpenter, upon his cross-examination, stated, that during the trials under the Special Commission, he being in the dock, and about to be put upon his trial, the Jailor, Beckett, called him out, and took him into a room, where there were Walter Long, a Magistrate, and another person, whom he believed to be Bingham Baring, who told him, that he should not be put upon his trial, if he would come and swear against Deacle; that another person, of the name of Prickett, was called as a witness by the prosecutors, and that when the counsel for the defence rose to cross-examine this witness, the counsel for the prosecution interfered, and said, that they meant there to stop the prosecution, for want of sufficient evidence; that the counsel for the defence persisted in a wish to go on, in order that the witnesses of his client might be produced, but that the Judge interposed his authority, observing, that the defendant was honourably acquitted, and could want nothing more; that upon this part of the subject, your petitioners beg leave to point out to the attention of your Honourable House, that Charles Seagrim, the attorney of Francis and Bingham Baring, was the attorney employed in the carrying on of this prosecution, and that the said Seagrim was a co-defendant in the action which your petitioners lately brought against the said Barings and others.

"That the allegations complained of are, by the newspapers, represented as parts of speeches delivered in your Honourable House; but your petitioners having been informed that your Honourable House will not receive any petition which comments on speeches made in your Honourable House, do not presume to say, that the hon. Members named in this Petition did actually utter the words which have, by the newspapers, been attributed to them; but they complain of the grievous hardships and injurious consequences which have already resulted, and which cannot fail continually to result, from such calumnies being propagated, as coming from Members of your Honourable House, in their legislative capacities; and the more so, since it is impossible for them to escape these terrible consequences, without the interference of your Honourable House, in such way as to your Honourable House shall seem meet.

"That, with regard to the words imputed to Mr. Sergeant Wilde, they feel themselves doubly aggrieved, as the said Sergeant was retained by your petitioner, Thomas Deacle, in the action lately tried at Winchester, but he did not arrive at Winchester till after the trial; yet he is notwithstanding represented as making a speech tending to the destruction of your petitioner, while he had your petitioner's money in his pocket, as his advocate.

"That your petitioners deeply lament the necessity which they feel themselves under, of thus trespassing on the time of yonr Honourable House; but that they hope your Honourable House will have the goodness to consider the extent of the injury done them, as aforementioned, as an instance of which, your petitioner, Thomas Deacle, informs your Honourable House that he was in treaty for a farm belonging to his Grace the Duke of Beaufort, which farm he was very desirous to rent, while the steward expressed an equal desire to have him for a tenant; but that, in consequence of the allegations made against your petitioner, as aforesaid, the steward has announced to your petitioner, that the Duke of Beaufprt refuses to receive him as a tenant.

"That your Honourable House must be convinced that no individual fortune in the middle rank of life can possibly withstand the assaults made against reputation as afore-mentioned; that your Honourable House will at once perceive that no character can stand against attacks spread in this manner all over the kingdom, and coming forth, as in this case, under the pretended sanction of your Honourable House.

"That, therefore, your petitioners beseech your Honourable House compassionately to lend an ear to a recital of the treatment which they have experienced—a recital which they will make as brief as possible, omitting unimportant circumstances, but pledging themselves to prove, on the oaths of witnesses of unquestionable veracity, the truth of every part of the statement which they now submit, in the hope of obtaining justice at the hands of your Honourable House.

"Consoled by this hope, they now state—That on the 24th of November, 1830, at about two o'clock in the day, William Lewington and John Switzer, constables of Winchester, came to the house of your petitioners, being the bearers of a warrant, signed by the rev.

Robert Wright, and one or two other Magistrates of Hampshire, and served it on your petitioners, who immediately, without any hesitation, were preparing to dress themselves in a becoming manner, in order to go with the constables, in obedience to the warrant; that, in about five minutes after the constables entered the house, they were followed with great apparent violence, and with great rudeness, by Francis Baring and Bingham Baring (being two Magistrates of the county), by Robert Wright (clerk), by Mr. Deane (banker) of Winchester, and by one Seagrim, an attorney, of Winchester, who is the partner of another attorney, named Woodham, who are the attornies of Messrs. Francis and Bingham Baring; that, upon these parties rushing into the house, Bingham Baring seeing a friend of your petitioners, of the name of Jervis, in an outer room, who was changing his coat, put a pistol to his head, having at the same time a dagger in his hand; that he then followed the rest of these violent intruders into the inner room, or parlour, where your petitioners were; that then Bingham Baring came up to your petitioner, Thomas Deacle, and striking him upon the shoulder, and then seizing him by the arm, exclaimed 'You are my prisoner;' that at the same time, or the instant afterwards, Francis Baring also seized your petitioner by the collar, while Robert Wright seized hold of the hinder part of his coat; that thus seized, Bingham Baring having hold of an arm, Francis Baring of the collar of the coat, Robert Wright of the hinder part of the coat, Bingham Baring (in a commanding and menacing voice) said to the Constable, Mr. Lewington, (Switzer being sent into the yard to hold the horses) 'Do your duty!' and Francis Baring, on the constable seeming to hesitate, said, 'Do your duty, do your duty!' in a very quick and stern manner; that the constable, in a compassionate tone, while putting his hand into his coat pocket, answered, 'There is no occasion for that, Sir, Mr. Deacle will go quietly.' Whereupon, Bingham Baring, looking sternly at the constable, said, 'Handbolt them;' that Lewington put the handbolt on one of your petitioner's (Thomas Deacle's) hands; that while he was doing this, Francis Baring quitted his hold of your petitioner's (Thomas Deacle's) collar, went to another part of the room, seized hold of your petitioner's (Caroline Deacle's) hand and arm, in order to compel her to submit to be handbolted; that in spite of the supplications of your petitioner, Thomas Deacle, who represented in the most feeling manner, the delicate and precarious state of health of his wife, she was brought up by Francis Baring, who held her arm until her wrist was fastened in the same bolt with that of her husband; that Mr. Lewington had been ordered at the jail, to bring a pair of small hand-bolts with him, and that he had them in his pocket, but did not pull them out; that at this time Bingham Baring went into the outer room, for the purpose of disabling the fowling-pieces which were placed in the corner of the room; that your petitioners were now marched off from the inner room, towards the outer room, handcuffed together, Francis Baring still holding the right hand and arm of your petitioner, Caroline Deacle, her left hand being in the bolt; that in pulling her forward through the outer room into the court, she wishing not to go without her bonnet and shawl, he pulled with such force as to pull her hand through the bolt, except that it was held by the fingers, and by a part of the ruffle, which was snapped in the bolt, and there fastened; that Francis Baring, seeing your petitioner, Caroline Deacle, thus loose, put his arm round one of her arms, and held her two hands together under his arm with great force and rudeness, still refusing to suffer her to have her bonnet and shawl; that in the meanwhile Deane, the banker, had quitted the house, and Seagrim and Wright were now on the outside of the house on horseback; that the cart, which had been guarded all the while by Captain Nevill, was stationed on the outside of the yard, about a hundred yards away from the house; that Bingham Baring was now employed in knocking the caps off the fowling-pieces, and pouring beer into the locks; that your petitioner, Thomas Deacle, was now taken to the cart, by Lewington and Bingham Baring, which latter mounted his horse, and rode by the side of your petitioner, Thomas Deacle, and the constable; that Francis Baring, refusing to wait for the bonnet and the shawl, proceeded to force you petitioner, Caroline Deacle, from the house and the court, across the wet and dirty yard, in order to arrive at the place where the cart was stationed; that the servants ran after with the bonnet and a cloak and clogs, which they put on as well as they could, he not suffering your petitioner to use her hands for the purpose; that he then, not however till her feet had been wet, carried her across the yard for a certain distance, by putting his arm round the middle of her body, her head foremost and her heels hindmost, and her person in a horizontal position, and thus, notwithstanding her earnest entreaties that he would allow her to go through the garden, where the way was not only clean, but where the distance was much shorter to the cart; that when arrived at the cart, by the side of which Captain Nevill was sitting on horseback, the Captain alighted and got into the cart; that in the meanwhile Francis Baring applied his hands and arms to the person of your petitioner, Caroline Deacle, in a manner so rude, indecent, and brutal, as not to be described by her, and thus lifted her up upon the shaft of the cart, while Captain Nevill seized her by the arm, and dragged her into it; that while your petitioner's (Caroline Deacle's) person was handled in this rude and indecent manner, the extent of which indecency she refrains from describing to your Honourable House, Seagrim and the rev. Robert Wright were sitting on their horses, and looking on and laughing;

that the wheel and other parts of the cart covered her habiliments with dirt, and tore parts of them; that at this time, and even in the court-yard, your petitioners earnestly implored that your petitioner, Caroline Deacle, might be permitted to ride her horse, fearing from the state of her health serious injury from the rude joltings of the cart; that this request was positively refused, by Francis and Bingham Baring, and that Seagrim said, 'No: if you had your horse, you would ride as you did yesterday;' that one of the constables (Switzer) said, 'For God's sake, Sir, let the lady have her horse, and I will hold the reins, and will forfeit my life if I lose her;' that upon this, Bingham Baring made answer, 'Do your duty, Sir, or I'll report you;' that the cart was driven by Lewington, and that the horse was a wretched pony; that Bingham Baring urged Lewington to drive faster, which having done for a little while, he said, upon a second application, 'The lady complains of being ill, and says that the jolting hurts her,' whereupon Bingham Baring again exclaimed, 'Drive on—make your way to Winchester;' that Lewington still not driving so fast as Bingham Baring wished, the latter came up, and with a large black stick which he carried, gave repeated blows across the back of the pony: that the pony now went considerably faster, causing the cart to jolt so much that your petitioner, Caroline Deacle, felt great pain, and rose up, by bearing upon the side of the cart, and turning round a little, said to Bingham Baring 'Really, Sir, I cannot bear this—it will be the death of me—I shall be shaken to death;' that your petitioner, Thomas Deacle, putting out his hand, said, 'Sit still, my dear—bear it as well as you can,' and that hereupon Bingham Baring struck across your petitioner, Caroline Deacle, a severe blow with the before-mentioned black stick, which fell upon the arm of your petitioner, Thomas Deacle; that the cart was accompanied by Francis Baring, Bingham Baring, Captain Nevill, the Reverend Robert Wright, Mr. Deane, the banker, and Seagrim the attorney, as a troop of guards, assisting the constables; that when the cart had reached about half a mile from the house, Mr. Deane went off to Winchester, leaving the rest to attend the cart; that when the cart arrived at the top of Winchester-hill, about two miles from the city, it was met by a post-chaise, into which your petitioners were put, in company with the Jailor, who was in it, and were thus conveyed to the common jail at Winchester; that when arrived at the jail, the six persons before-mentioned had disappeared; that the Jailor hurried your petitioner, Thomas Deacle, into a room where certain Magistrates were assembled, amongst whom were Sir Thomas Baring, as he believes, and the Reverend Robert Wright the elder; that in the meanwhile, your petitioner, Caroline Deacle, was put into another room, being the Jailor's kitchen, but afterwards was brought into the same room; that the Magistrates deferred any examination for that night, on the alleged account of want of witnesses, and refused to let your petitioners out on bail; that after this, the Jailor, Beckett, took your petitioners into the passage, and informed them, that he must take your petitioner, Thomas Deacle, and put him into a yard, and that he would give your petitioner, Caroline Deacle, a bed along with the women; that upon hearing this, your petitioner, Caroline Deacle, understanding that her husband was going to be locked up amongst felons, fell into a violent hysterical fit, and was falling backward upon the stone floor, which was luckily prevented by your petitioner, Thomas Deacle, catching her in his arms; that the fit was very strong, and rendered it necessary to open her clothes, cut the lace of her stays, and thus expose her in the presence of numerous persons of various descriptions, the inmates or the visitants of a common jail; that after this, your petitioners were permitted, at the expense of 10s. a day, to live in the apartments of one of the Turnkeys, situate on the felons' side of the jail, and surrounded by felons on every side; that in this situation your petitioners remained from the evening of the 24th of November until the evening of the 27th of November; that on the 25th of November your petitioners were brought before the Magistrates sitting in the jail, and were told that the evidence against them had not arrived; that on the morning of the 26th of November they were brought before the Magistrates again, always guarded by the Jailor or Under-jailor, as if they had been felons, and were now told, that the evidence was in their favour, but that, as all the evidence had not arrived, they must detain them longer; that in the afternoon of the same day, the Under-jailor again brought them into the presence of the Magistrates, always sitting in the jail; that the Magistrates there told your petitioner, Thomas Deacle, that they had nothing against him, and that he might go, but they must detain your petitioner, Caroline Deacle, until the next day, when they expected some evidence against her: that upon this your petitioner, Thomas Deacle, begged to be permitted to remain with his wife, to which the Magistrates answered 'No;' that thereupon your petitioner, Caroline Deacle, fainted away, and was held in the chair, the Magistrates, with Sir Thomas Baring at their head, exclaiming 'Take her away, take her away—she must not remain to interrupt our business;' that in consequence of this, she was carried out of the room in the chair, and your petitioner, Thomas Deacle, was afterwards permitted by the Jailor to remain with his wife; that on the 27th, your petitioner, Caroline Deacle, was brought before the Magistrates by the Under-jailor, and had read to her a deposition of Robert Wright the younger, one of the defendants in the late action, but that she was not confronted with any accuser, nor were either of your petitioners ever confronted with any accuser from the first to the last; that finally your petitioners were released upon bail given for your petitioner, Caroline Deacle, and your petitioner, Thomas Deacle, without bail in the first instance, and afterwards with bail, when new-pretended evidence had been discovered; that in the meanwhile your petitioner, Thomas Deacle, had declared his intention of bringing an action against the Magistrates for assault and false imprisonment; that after this the indictment before-mentioned was framed against him, and the bill found as before stated, just at the close of the proceedings of the Special Commission, which produced the trial at the Lent Assizes, ending in the honourable acquittal of your petitioner; and that, during the imprisonment of your petitioners, the letters sent to them were destroyed by the Jailor, in one of which was an offer of legal assistance.

"Your petitioners earnestly pray that your Honourable House will be pleased, in order to afford them a chance of relief from the most direful oppression, to permit, if compatible with the rules of your Honourable House, evidence in the premises to be brought to your bar; in which case they solemnly pledge themselves to prove, by witnesses other than themselves, all and singular the allegations contained in this their humble petition: and with all submission to the superior judgment, and in a firm reliance on the justice of your Honourable House, they further pray that you will be further pleased to adopt such other measures, relative to the premises, as in your wisdom you shall deem to be most meet. And your petitioners will ever pray.

(Signed) "THOMAS DEACLE,
"CAROLINE DEACLE."

"Marwell, July 29th."

Colonel Evans moved, that the Petition do lie on the Table.

Mr. *Francis Baring* had taken the opportunity of stating, on a former occasion, the circumstances of this case; and though there were many things in this petition that might seem to call for a further statement, yet, considering the time he had already taken up on the subject, he felt a delicacy in further encroaching on the public time upon the present occasion. Still, however, he trusted the House would bear with him, for a few moments, while he noticed one or two of the particulars stated in this petition. He did not intend to repeat the statement he had formerly made. When he made it, he did so partly in contradiction of the allegations that had been advanced respecting his own conduct and the conduct of his cousin, on the occasion referred to, and partly with a view of making the House acquainted with circumstances which had not previously appeared before the public. With regard to the present petition, he was prepared to meet it with a full contradiction. He had already made his statement of the circumstances to the House, and there was no contradiction of his statement, contained in any part of that petition, that would induce him to withdraw one assertion that he had then made. The statement now made by the petitioners was contrary to all those put forth in evidence at the trial, and sworn to as true there. There was hardly one point in which the two statements concurred with each other—there was but one in which he and the petitioners agreed together, and that was, in the declaration that the evidence given at the trial was a false account of the circumstances that had taken place. It was said, at first, that Mrs. Deacle came forward in the room and gave her hand to be handcuffed; it was now said, that he (Mr. Francis Baring) had dragged her forward to be handcuffed. At first it was said, that his cousin had shown a gun, and had used it to intimidate; now it was stated, that a pistol and dagger were employed, and the gun was sunk! He wished that the two statements could be published side by side, and paragraph by paragraph. The plantiffs statement, as it was now made, and as it was then made by his witnesses, did not at all agree together, and of course no credit whatever was given to either. There was one point to which he wished particularly to call the attention of the House. It was this:—It was originally stated, that his cousin, Mr. Bingham Baring had carried Mrs. Deacle to the cart. That statement had then been denied, and he had said, that he was the person who had carried her to the cart. It now turned out, even on the petitioners, own statement, that it was not Mr. Bingham Baring, but he, who had carried the lady to the cart. When he had ventured to state that in the House, all the persons who took a different view of the matter said, that that was a matter which could not be mistaken. Now at the time that the witnesses swore Mr. Bingham Baring carried Mrs. Deacle to the cart, Mr. and Mrs. Deacle were both in Court: they had the means of knowing whether the statement was true or not, yet they heard it made, allowed it to go to the Jury, and to be commented upon by the Judge, and never once pretended to express even a doubt of the correctness of the statement.

Their Counsel, could not have known the fact, because he was sure that no honourable professional man would have calmly stood by whilst a representation, of the falsehood of which he was cognizant, was sworn to. Mr. Bingham Baring denied, most distinctly, that he had carried Mrs. Deacle, and declared, that she had been removed by another person. To that denial the Attorney for the prosecution wrote an answer. Did he there state, that this part of the charge against Mr. Bingham Baring was incorrect? No such thing; he, on the contrary, re-asserted the calumny, and argued as if there were no truth whatsoever in the solemn statement of Mr. Bingham Baring. He himself had also made a statement, which Mr. Deacle attempted to answer; but he did not venture to say, that his assertions were incorrect. With respect to that statement in the petition, where it was represented that Mr. Bingham Baring was present when Barnes, the carpenter, was told, that he should not be put upon his trial if he gave evidence against Deacle, he could meet it with the most flat and unqualified contradiction. As to the allegation that these prosecutions were all instituted by the Messrs. Baring, and were carried on by their Attornies, Messrs. Woodham and Seagrim, it was totally without foundation. The attornies who had conducted the cause on behalf of his cousin, were the Clerks of the Peace, for the county, who had in that character prosecuted all the parties at the suit of the Crown. They were not the attornies either for his father or his uncle, and they had only been employed in that instance at the recommendation of the attornies for the family, because they were thought to know all the facts of the case. He himself left Hampshire a few days after the transactions occurred, and he knew nothing about the matter till he saw the notices of action. He was confident he need not offer any apology to the House for urging a few topics in his defence, when he was put, as it were, on his trial. It was too much that he should bow in silence when his character was calumniated and traduced, and the Government called upon to strike his name out of the Commission of the Peace. He was sorry that the public Press had been dragged into the discussion by the hon. and gallant Member, as he, whatever he might have thought, had never let a word escape him on the subject. He must say, however, that the allusion made to the public Press was not likely to produce any good effect.

Sir *Thomas Baring* said, that as his name had been introduced in a manner not very creditable to him, he was desirous of troubling the House with a few words upon this subject. He was well aware that every person who acted in a public capacity, in that House, or out of it, was liable to have his conduct traduced, and his character calumniated; and for himself, he could only rejoice, that when this was done with regard to him, he had the opportunity which that House afforded of answering the calumny. The hon. Member who had introduced this petition had not had the common courtesy to give him the slightest notice of it—a conduct which he should not have pursued towards the hon. Member under similar circumstances. He was charged with having at first resolved upon committing Mr. and Mrs. Deacle to prison. That charge was not true. It was said, that Mrs. Deacle had fainted in the chair, and that notwithstanding her state, he had ordered her away, saying that the Magistrates could not be troubled with her, or some expressions to that effect. He utterly denied having ever said so. He had not, to the best of his recollection, heard her utter a single word; he had only come into the room accidentally at the moment when Mr. Deacle was having some evidence (his own he believed) read over to him. At that moment he saw a female in a chair, but he did not hear her utter one word. He looked over the evidence cursorily, and the cruelty of which he was then guilty was, to suggest to his brother Magistrates that Mr. Deacle should be admitted to bail. He took no other part whatever in the proceedings. When these statements were thus found to be unsupported by the fact, he thought that the House would not feel much inclined to give great credit to other statements in the same petition. At the time that these persons were brought to prison, he was occupied, at a distance of eight miles, in endeavouring to suppress a riot occasioned by other parties, and to take those parties into custody. On his return he again read over the evidence in Deacle's case, and then, upon a more attentive perusal than he had before given it, he found the evidence stronger than he had before supposed, and he surrendered his own opinion to that of the other Magistrates. These were the facts of the case as far as he was concerned.

Mr. *Francis Baring* wished to be permitted to say, that there were other statements in the petition which he had not noticed, but he hoped he should not be taken to have admitted the truth of them because he had not contradicted them.

Mr. Serjeant *Wilde* said, that from his having mistaken the order of the proceedings in the House, he had not been present when this discussion began. He begged to express his regret at that circumstance. It seemed that he had been made a subject of accusation in the petition, and he found that he had been reduced to that situation from his having discharged what he considered to be his imperative duty as a Member of that House. The petition, so far as it referred to him, was not expressed in those courteous terms that might be expected; but he looked to the substance, not to the form of it. He wished to recal the attention of the House to what had occurred on the former occasion. He had not then expressed any opinion of what had taken place; for he had not been present at the trial; he had not gone into those parts with which he was not personally acquainted; he had merely stated what he knew from the depositions that had been laid before him. The chief ground of complaint against the Magistrates, however, appeared to be, that they had themselves superintended the execution of their own warrant in the case of Mr. and Mrs. Deacle, instead of leaving it to others, as was the usual practice. No impression, unfavourable to the Magistrates, as he conceived, ought to arise from this circumstance of their superintending the execution of the warrant themselves, as the state of the country made it not only justifiable, but made it their duty to exert more than ordinary vigour in support of the law. The case should stand or fall upon its own merits; and, in discussing it, it would be little in accordance with his feelings to rank upon the side of harshness, oppression, or injustice: he had never embraced that side. It had been said that, in the former debate, he asserted that Mr. Deacle accompanied a mob to Mrs. Long's, to extort money. He had never stated any thing of the kind, and he knew not where it was so reported. He had taken the trouble to look over the reports of what fell from him, and, though not precisely, they were generally accurate. All he could say, was what the witnesses had sworn to in the depositions which had been submitted to him. After referring to the substance of the depositions against Mr. Deacle, the learned Serjeant reminded the House, that Mr. Deacle was only indicted for a conspiracy. He did not wish to deprive him of the benefit of the verdict of acquittal; but it was not unnatural to suppose, that those who had given evidence against him, at the moment when the transactions he was charged with taking part in were going on, and the country in alarm, when they found the country was quiet, should feel their sympathies awakened for their neighbour, and that they should wish to soften the charges they had made against him. All the statements he had made had been founded on the depositions that were brought to his notice, in the discharge of his duty in assisting the King's Attorney General in the public prosecutions. Unfortunately, on account of the absence of Mr. Chambre from town, he had not been able to bring those depositions with him. He now came to speak upon a matter more immediately connected with his professional practice, and his character as a Member of that House. A retainer had been left at his chambers some time before the trial. It was anticipated that he could not be able to attend at the Winchester Assizes. The person who left the retainer was told so. He thought he was bound before everything to discharge his duty in that House. A letter was written to the effect he had stated by his clerk. That retainer gave him no information of the nature of Deacle's case. Hon. Members must not confound a retainer with a brief. A retainer only contained the names of the parties. He (Mr. Serjeant Wilde) had never seen Mr. Deacle or his Attorney—he had had no communication whatever with them—and it was not to be supposed that the leaving a retainer with a one guinea fee was to prevent a Member of that House from doing his duty there. If any persons did suppose that, he begged they would keep their retainers to themselves. He considered, that his duty in that House was paramount to all others. He had no knowledge whatever of the case.

Mr. *Hume* said, he regretted that the

hon. and learned Member had not removed the impression which what he had said on a former occasion had made on the House; the more particularly as the hon. Member had made that statement, not from his own knowledge, but from depositions. He submitted to the House, whether it was fair towards Mr. Deacle, who was now absent, that the merits of his case should be decided on by mere depositions. He did not know Mr. Deacle; the only feeling which induced him to advert to his case was, from an impression that he was a man who had been harshly and severely dealt with; in fact, there was no specific charge brought against him; and, in the absence of positive proof, the prosecuting party had recourse to that very convenient instrument, a conspiracy. By this means, Mr. Deacle was mixed up with a party, seven of whom were sentenced to death. He did not consider this a question referring solely to Mr. Deacle, but one of great public importance, and he hoped to see justice fully done. He would be glad to know who it was that ordered Mrs. Deacle to be separated from her husband. The hon. Baronet (Sir Thomas Baring) said, that he had not ordered Mrs. Deacle away, but, on referring to the petition, it appeared, that what the petitioners alleged was, that the Magistrates, with Sir Thomas Baring at their head, exclaimed, "Take her away, take her away; she must not remain to interrupt our business." He wished also to know who it was that ordered Mrs. Deacle to be handcuffed; if it had been the hon. Member, he was quite sure he would admit it. At present, the House did not know who it was, and he thought they were, in consequence, bound to institute an inquiry, and to take measures to remove persons who had been guilty of such improper conduct, from situations which afforded them an opportunity of committing similar acts of severity. He thought justice required, that the hon. and gallant Member who had presented this petition, should fix an early day on which to bring on a motion to refer the petition to a Select Committee up-stairs, in order that the allegations of the petition, and of the parties against whom the petition was directed, might be thoroughly investigated. This was necessary, to prove to the public, either that the Magistrates were innocent, or that, being guilty, they would be dealt with as their conduct deserved. In making this suggestion, he put Mr. and Mrs. Deacle wholly out of the question, and looked only to the public interest which was involved in such charges against Magistrates.

Mr. *Cutlar Ferguson* said, that the hon. member for Middlesex was mistaken upon one point. It had been sworn, that Mr. Bingham Baring was not present at the handcuffing, and that hon. Member had himself stated the same fact. He was quite ready to believe, that the allegations of the petition were much exaggerated. He was ready to believe this, as well from the statements of hon. Members of that House, as from the small damages recovered by the petitioners. At the same time, however, it was quite clear that, in the case of the petitioners, an extraordinary course had been followed by the Magistrates, which nothing but extraordinary circumstances could justify. He concurred in the desire expressed by the hon. member for Middlesex, to know who it was that ordered Mrs. Deacle to be handcuffed; for that act was disgraceful to a civilized country, and the House ought to be ashamed of having any person a Member of that House who could order a female to be so treated. It was certain, that Mrs. Deacle had great reason to complain of the hardship, in having been handcuffed and dragged to a gaol, for it must be recollected, that Mrs. Deacle had never been brought to trial. He thought, too, that Mr. Deacle had also much to complain of, when it was attempted publicly in that House to prove him guilty of acts which a Jury had declared him to be innocent of. Under these circumstances, whatever exaggerations there might be in the petition, Mr. and Mrs. Deacle, in his opinion, had great reason to come to that House, in order to clear their character.

Sir *George Clerk* did not rise to prolong this discussion as to the merits of the Deacles, or the conduct of the Magistrates. He should not have risen at all if some member of the Government had, as he expected, taken notice of a ground upon which, in his opinion, the House could not receive the petition. This ground was, that the petitioners stated that they had suffered by speeches delivered in that House. The petition had, doubtless, been drawn by some very ingenious person, and he believed that it had fallen from the hon. and gallant Member who presented it, that the petition, as originally drawn, could not have been received by the House. This showed the *animus* of the petitioners, which was also further apparent from the fact, that the hon. member for Portsmouth and the hon. member for Newark had been compelled to refer to and to repeat what they had said on a former occasion. Under these circumstances, he put it to the House, whether the petition was not a palpable violation of the orders of the House. At all events, he should be prepared to give a negative to the motion of the hon. and gallant Gentleman, that the petition do lie on the Table.

Lord *Althorp* was not present when the petition was presented, but had read the passage to which the hon. Baronet alluded. It was true that, by an evasion, the petition did allude to speeches that had been made in that House, and it was true also, that, by the strict rule of the House, such petitions could not be received. He did not, however, think that the rule ought to be strictly enforced on all occasions, especially as there was a rule equally strict, but not enforced, against the publication of speeches delivered in that House. The hon. Baronet should recollect, that it was only by evasion that the Debates of that House were published. As to this petition being allowed to lie on the Table, he did think that they ought to be very cautious how they rejected a petition which contained an attack upon one of themselves. He certainly should not object to the petition being allowed to lie on the Table.

Mr. *Estcourt* said, that if the Order alluded to by the noble Lord was an improper order, it ought not to be allowed to stand upon the Journals, but while it stood there he could not agree, that it was right to suffer it to be evaded. The language of the petitioners was ingenious and cautious, but the object of the petitioners was apparent. The petitioners said, "The allegations complained of are, by the newspapers represented, as parts of speeches delivered in your honourable House; but your petitioners having been informed, that your honourable House will not receive any petition which comments on speeches made in your honourable House, do not presume to say that the hon. Members named in this petition did actually utter the words which have, by the newspapers, been attributed to them." Now, the petitioners did not venture to say that they disbelieved the speeches to have been delivered in that House; but they continued in the following words:—"But they complain of the grievous hardship and injurious consequences which have already resulted, and which cannot fail continually to result, from such calumnies being propagated as coming from Members of your honourable House in their legislative capacity; and the more so, since it is impossible for them to escape these terrible consequences, without the interference of your honourable House, in such way as to your honourable House shall seem meet." It did not appear, that this allegation of the petitioners was true. The petitioners ought to have made out that they could not obtain redress for the publication of these calumnies without coming to that House. He believed it was well known that persons circumstanced like the petitioners, could obtain redress from the law for calumnies which had been propagated in the manner stated in the petition; and that it was not necessary for them to come to that House for redress. It could not be pretended, that the House sanctioned the publication of Members' speeches. On the contrary, such publication was, by the order of the House, a breach of privilege. Under these circumstances, he considered the proceeding of the petitioners to be very disorderly. If the petitioners could show that the Courts of Law were not open to them, then they might come to that House, but not until then.

Mr. *O'Connell* said, that the hon. member for Oxford did not carry his objection far enough. The hon. Member ought to enforce the order against the publication of speeches, if he enforced the rules of the House against this petition. Would the hon. Member do this, and call the editors of all the newspapers up to the bar; he should think not. If statements were made in that House, it was well known that they would go forth to the public; and if those statements were incorrect and injurious, evils would result which ought to be complained of. He would only say, with regard to the case before them, that, in his opinion it called for farther inquiry. That inquiry might for aught he knew, end in the most triumphant justification of the Magistrates; but he must say, that the two innocent persons—for the petitioners had been proved to be innocent—from whom this petition came, had made out a strong case for inquiry.

Sir *Francis Burdett* concurred with the hon. and learned member for Kerry. This was a question which concerned the public justice of the country. Personal considerations were involved in it, but the main point was a public one, and regarded the manner in which certain Magistrates had exercised the powers confided to them by the law. He was free to confess, that he thought this was a time at which such complaints as these ought to be investigated. The hon. and gallant Member who had presented the petition, would, of course, take into consideration the best mode of investigation. As to the objection upon a point of order, the hon. Baronet (Sir George Clerk) who raised the point, had admitted, that the petition was so drawn as to avoid infringing the rules of the House, and had declared, that much ingenuity must have been exercised by the person who so drew it. If, then, it had been skilfully and successfully endeavoured so to frame the petition as not to offend against the regulations of the House, he did think that it would be a most extraordinary proceeding to reject such a petition, especially when the administration of the laws, the liberty of the subject, and the character of many individuals, were deeply involved in its allegations. He would not offer any observation upon a single point of this case, except the handcuffing; and upon that he must say, that he considered it most improper to handcuff persons under the circumstances in which the petitioners were placed, take which version of those circumstances they pleased.

Petition to lie on the Table.

Wine Duties.] On Mr. Spring Rice moving the Order of the Day for the House going into a Committee of Supply,

Mr. *George Robinson* wished to know, when the wine duties were to be brought on?

Lord *Althorp* said, that if it suited the convenience of the House, he should wish to continue in Committee of Supply till ten o'clock, and that at that hour he would bring on the wine duties.

Loss of the Rothsay-Castle Steamer.] Colonel *Sibthorp* said, there was a subject of melancholy interest to all the Members of that House, but especially to him (Colonel Sibthorp), for he had lost two relatives on the occasion to which he was about to allude, to which he was desirous to call the attention of his Majesty's Government, and particularly that portion of it which was connected with the management of the Home Department. He wished to call their attention to a melancholy circumstance which had occurred a few days since—he meant the loss of the Rothsay-Castle steamer, on its passage from Liverpool to Beaumaris. He was sure that it was only necessary to point the attention of his Majesty's Government to this subject, in order to ensure a proper degree of attention to the investigation which must take place with regard to it. He was certain that his Majesty's Ministers would pay every attention to any statements which might be forwarded to them on this subject, and especially to the facts which would come out at the Coroner's Inquest, which would, no doubt, be held on the bodies of the unfortunate deceased. He would also take this opportunity to express a hope, that his Majesty's Ministers, in whose hands he was inclined to leave the matter, would bring forward an enactment, for the purpose of preventing the occurrence of such circumstances in future, by summarily punishing the proprietors or owners of steam-vessels, by fine or imprisonment, where such accidents were the result of wilful negligence, and also enacting that the Captain or any of the crew who should survive in such cases, should have a summary punishment imposed upon them for drunkenness, or any other wilful error with respect to the management of the vessel.

Mr. *George Lamb* said, that his Majesty's Government had derived no information with regard to the very melancholy circumstance to which the gallant Member had referred, beyond that which was to be found in those channels of information to which the public generally had access. The Home Office, with which he was connected, had received no exclusive intelligence on the subject, though he was willing to admit, that it deserved the attention of the House. The necessary steps would be taken to secure the report of the Coroner's Inquest, and an accurate account of what should take place on that occasion; and if it should appear, that any further inquiry or investigation was necessary, it should be instituted. With regard to any enactment of the nature spoken of, the hon. Member must see, that it would require very deliberate consideration; but he begged to assure the hon.

Member, that his Majesty's Government would give the subject the fullest possible consideration.

ADJOURNMENT OF THE HOUSE.] Sir *Robert Peel* said, he was anxious to know whether his Majesty's Ministers could communicate any information on a subject which was of importance not only to the Members of that House, on the score of private convenience, but in which the public convenience was also greatly interested—he meant the period for which the House would adjourn on the occasion of the approaching coronation. He was well aware that the noble Lord opposite did not agree with him (Sir Robert Peel) as to the period to which that adjournment should extend. It ought, however, to be borne in mind, that they had been now sitting continuously ever since the 20th of last October, for the short interval which had occurred at the time of the dissolution was not worth while taking into account. It was not, therefore, too much to expect that some adjournment—some respite from their labours—should be granted to them at the ensuing coronation; and it would be highly convenient, both to the Members of that House and to the public at large, if any adjournment was intended at the coronation, that the determination of Government on the subject should be known as soon as possible.

Lord *Althorp* said, that the subject had certainly been submitted to the consideration of his Majesty's Ministers, but under existing circumstances, he could not assent to the suggestion of the right hon. Baronet. He did not think, that it would be possible for him to propose any adjournment of the House, beyond a short adjournment over the day of the coronation.

THE KING OF HOLLAND.] Lord *Eliot* said, that he wished to take that opportunity to mention a few facts in refutation of the statement which had been made by the hon. and learned member for Kerry, on a former evening, with regard to the king of Holland, and his conduct towards Belgium. From whatever quarter or whatever publication that hon. and learned Member had derived the information which he had given to the House on that occasion, he should be able, he hoped, to show that hon. and learned Member, that it was quite incorrect, and he was sure that the hon. and learned Member would be the first to retract, when he found that such was the case. The first accusation which the hon. Member had preferred against the king of Holland, respected the union of Holland with Belgium. That union was determined on by the great Powers in the month of July, 1814, and it was not till the month of August, 1815, that it was carried into complete effect. The Belgians, therefore, had ample time allowed to them to send remonstrances or Representations to the allied Congress against that union, if they had a mind to do so; but no such remonstrance or representation was fowarded by them, and it was therefore to be assumed, that they entertained no objection to the Union. The first act of the king of Holland in ascending the throne was, to order a Commission to be issued for the purpose of framing a constitution founded upon the fundamental laws of the country, and which should be in unison with the habits, and feelings, and manners of the people. That Commission was composed equally of Dutchmen and Belgians, and after they had drawn up a code of laws, the king submitted it to the States-General, in which the Belgians were represented by one Deputy for every 2,000 inhabitants of Belgium. It was quite true, that a certain majority of the Belgian Deputies voted against that constitution. He was ready to admit, that such was the fact, but it should also be stated, that their principal objection was made against the two first articles of that Constitution, which went to give equal protection and equal toleration to all religions in Belgium. The Catholic Bishops in Belgium specially addressed the king against the proposed constitution, and in that address they used the following words:—" Sire—The existence and the privileges of the Catholic Church in this part of the kingdom are inconsistent with an article of the plan of the new constitution, by which equal favour and protection are promised to all religions." They further said, in the same address, " Sire, we do not hesitate to declare to your Majesty, that the canonical laws which are sanctioned by the ancient constitutions of the country, are incompatible with the projected constitution which would give in Belgium, equal favour and protection to all religions." It was upon such grounds as those, that the majority of the Belgian Deputies voted against the proposed constitution. But it would be absurd to take that majority as the majority of the whole Chamber of the States-General, and it would have been absurd for the king to have acceded to its wishes, regarding it as such. Again he would say, that he did not know to what publication, or to what authority, the hon. and learned Member was indebted for his facts and statements, but he could assure that hon. Member, that the authority to which he had trusted, had completely misled him in this instance. The hon. Member had accused the king of Holland of having abolished trial by Jury, which it was said the Belgians possessed in the time of Napoleon. But that Emperor several times interfered with it, and it was not much resorted to. It was never well understood in Belgium, and the fact was, that three Jury laws which were successively proposed by the king of Holland to the Chamber in Brussels had been rejected by them. In truth, the trial by Jury was not popular in Belgium, and no attempt was made by the Belgians to obtain it till 1827, when a bill brought forward for this purpose, was rejected by two-thirds of the Chambers. The charge of the hon. and learned Member against the king of Holland, for reducing the Judges to a state of dependence on him, was quite unfounded. The 106th article of the constitution guaranteed their complete independence; and, as a proof that they were not at all interfered with, or controlled by the Crown, he begged to mention the fact, that there was not a single instance of the removal of a Judge from his situation during the fifteen years that the king of Holland had reigned over Belgium. The decree as to the change of the language in judicial and legal proceedings, whatever objections might be urged to it, or whatever reasons might be urged in its defence, had been, in fact, rescinded some months before the revolution had taken place in Belgium. The hon. and learned Gentleman had made a most unjust attack upon the king of Holland for his conduct with regard to the Press. There was no censorship over the Press in Belgium; there was, in fact, during his reign there, no restriction on the Press with regard to publication under the charter which he had granted to Belgium, and the fullest liberty was granted to the Press to publish whatever was not libellous. With respect to schools, about which the hon. Member had complained so much the only regulation enforced was, that the persons who opened them, should be properly qualified for the education of youth. The complaint with respect to the Philosophical College which the king had established at Louvain, was equally unfounded; and, at all events, as it was found to be unpopular, it was suppressed some months before the breaking out of the revolution. As to the non-appointment of Bishops to vacant Sees in Belgium, it should be recollected, that the king of Holland was a Protestant Sovereign, and that as such he could not appoint Roman Catholic Prelates. About three years ago, however, he succeeded in obtaining a *concordat* with the See of Rome, and the Pope had expressed his satisfaction at the appointments which had taken place since that time. It was said, that few Belgians were employed in diplomatic situations. The paucity of the Belgians employed in such situations was to be accounted for principally through non-application on their part for employment of that description. Nevertheless it did so happen, that at this moment there were three Belgians in diplomatic situations, under the king of Holland. Another of the charges of the hon. and learned Gentleman was, that no Belgians were employed in the higher departments of the army, which was, perhaps, owing to the Belgians themselves, for a vast deal fewer of them, in proportion, than the Dutch were promoted to the upper ranks of the French army, when both were in the service of Napoleon. The hon. and learned Member had spoken of the unpopularity which the Belgian Deputies who had taken the side of the king of Holland in the States-general, had earned for themselves. As a proof of their unpopularity, he begged to state, that two-thirds of them were at present members of the National Congress in Brussels. He had shortly stated those facts, to show that the hon. and learned Member had been grossly misled by the authority on which he had relied, and he was sure, that the hon. Member, when he was disabused of the error into which he had fallen, would be the first to retract a mis-statement, of the having made which wilfully he need scarcely say, that he altogether acquitted the hon. Member.

Mr. *O'Connell* said, that the noble Lord had, with great courtesy, made a statement in reply to what had fallen from him (Mr. O'Connell) on a former evening, in reference to the conduct of the king of

Holland. He (Mr. O'Connell) should feel the utmost delight in retracting any statement which he had made, if it were proved that such statement were unfounded. Instead, however, of retracting any thing which he had stated, with regard to the conduct of the king of Holland, he had only to regret, that his charges against that personage, on a former evening, had been preferred in a very mitigated shape. He had not stated a single fact which he was not ready to substantiate by documents. He hoped, that the House would bear with him on this occasion, while he proceeded to vindicate that statement which the noble Lord had endeavoured to impugn. As to the non-presentation of remonstrances from the Belgians, against the annexation of Belgium to Holland, he was aware that that annexation was only finally arranged in 1815, though it had been determined upon in July, 1814; but the noble Lord had forgotten to state, that the king of Holland was in possession of Belgium, as the commissary of the Holy Alliance, all the time between the period when Napoleon was completely defeated, and the period when the union of the two kingdoms was arranged and finally agreed to. When it was said, therefore, that the Belgians sent forward no remonstrances against that union to the Holy Alliance, let it be recollected, that the king of Holland was in military possession of Belgium, and there was in that country no magistracy, no civil authority, no law but the will of the Stadtholder; and it might very truly be said, that the Belgians expressed no unwillingness to the union. How could they? Dare any man of them, under such circumstances, throw out a hint about it? The king, indeed, referred the constitution to a Committee. But the way he managed was distinguished by the chicanery which pervaded the whole conduct of that king. The Dutch had already agreed to the constitution, and well they might, as they had all the advantages of it on their own side: but the constitution was referred to a Congress of an equal number of Dutch and Belgian Notables. With respect to the Dutch, then, it was merely *acta agere*. The Dutch nominees of the king in the States General of course voted for it, because it was favourable to themselves; but of the 1,323 Belgic deputies in the States-General, 796 voted against the acceptance of the constitution, and 527 in favour of it. Was not that a rejection of the proposed constitution on the part of Belgium? Could any man in his senses say, that the Belgians did not thus reject this constitution by a majority against it? His Dutch majesty, however, decided, that 527 votes were more than 796, and that the minority was greater than the majority. Because 126 of the Belgian deputies who voted against the constitution, assigned as a reason for doing so, that the king was a Protestant, his majesty struck their votes out of the list, on the ground of their having given a reason for their votes. There were 282 of the Belgian deputies who did not vote at all, and the king at once decided that every one of them had voted on his side. Such conduct was an insult to common sense, and an outrage upon the feelings of the people of Belgium. All these Notables had been selected by the king, and yet they voted against the constitution, than which there could not be a more decisive proof that it was opposed to the feelings of the nation, and that it was eventually forced upon them by fraud and violence. But then they were told, that the Belgian Bishops had protested against the giving equal favour and protection to all religions in Belgium. In doing so they only imitated the example, and followed the steps, of the Protestant Tories in this country. In doing so, they only acted in accordance with the principles of the hon. member for Oxford, for instance, and of many other hon. Members in that House. For his part, he differed from the Belgian Bishops, and from the hon. member for Oxford, on that point; he was for giving the same protection to all religions; but again he would say on behalf of those Belgian Bishops, that they only protested against the protection of the Protestant religion in Belgium, as the Protestant Tories would protest against the protection of the Catholic religion here. Such was the reason that some of the Belgic deputies assigned, for voting against the constitution proposed by the king of Holland; but though it was not a good reason, it was no just cause for disqualifying them for voting. Could any decision afford a greater evidence of fraud and force than that decision, on the part of the king of Holland? It was in such a way that this constitution was forced upon Belgium. By means of that constitution, Belgium was saddled with the debt of Holland. The only debt that had previously existed in Belgium, was the Austro-Belgic debt, which amounted to about 1,000,000*l.* sterling. By the constitution, however, which the king of Holland imposed upon Belgium, it was saddled in addition with the Dutch debt, which amounted to 80,000,000*l.* sterling. It was not at all wonderful that the Dutch Deputies had voted for the imposition of that constitution upon Belgium, when, by means of it, they transferred 39,500,000*l.* of it to the shoulders of the Belgians. The consequence was, that the increase of taxation in Belgium was enormous. To such an extent, indeed, was it carried, that the French war taxes in Belgium under Napoleon, amounted only to one-third of the Dutch peace taxes in that country. This taxation was, besides, increasing every year during the reign of his Dutch majesty over Belgium, and the result must have been either a bankruptcy, or a revolution, if that cause alone had been allowed to operate. In the year 1821, the king of Holland imposed additional taxes to the amount of 4,000,000*l.*, 3,000,000*l.* of which were thrown on Belgium, and the remaining 1,000,000*l.* on the Dutch. Was that a fair or a just distribution of the burthen of taxation between the two countries? Besides, though the Belgic population amounted to 4,000,000, and the Dutch to only 2,000,000, the Dutch had an equal number of representatives in the States General. The consequence was, that the king being always sure of the Dutch Deputies, had only to bribe one or two of the Belgic Deputies, to secure a majority for any measure which he might propose with regard to Belgium, however onerous or unjust such a measure might be towards that country. It was by that means that he secured a majority of two in 1821, when the unjustly disproportionate share of the new taxes was laid upon Belgium. In truth and fact, there never was a more iniquitous and unjust union, than that which subsisted between Belgium and Holland, unless, perhaps, that which at present existed between two other countries, to which he would not further allude. The Dutch king, in 1814, when acting as commissary of the Holy Alliance, abolished by a decree the Trial by Jury in Belgium, and he never restored it, though the Belgians frequently petitioned for it. In one of the petitions, the Belgians, though living under the rule of this Dutch king, had the courage to repeat that the Trial by Jury "had been assassinated in Belgium." It was said by the apologists of the king, that he had presented three Jury codes to the Chamber, which were successively rejected by it. But when were they presented? It was not until the year 1828 that the first of them was offered to the Chamber, and the legislation of the middle ages was enlightened, compared with the specimen of legislation which they afforded. The fact was, that the Belgians were obliged to reject them, they were so extremely bad. In a message to the Chamber, on the 11th of December, 1829, the king of Holland expressly declared, that the Trial by Jury was an "exotic innovation" in Belgium. In the same decree by which the king of Holland abolished the Trial by Jury in Belgium, he ordained, that the examination of witnesses should no longer take place in open Court, and he thus removed one of the surest safeguards of public justice. Still further, he rendered the Judges in Belgium, quite dependent on his will and power. It was true, that not a single one of them had been removed, during the fifteen years that his Dutch majesty ruled in Belgium but his (Mr. O'Connell's) complaint was, that such was the case, and that all that time those Judges held their offices provisionally. The constitution declared, that the Judges should be irremovable; but then the king was to have the first nomination of them, and afterwards the Chamber was to have it; and by thus keeping in the original Judges, he rendered them perfectly dependent on him, for they were well aware that they only held their situations "during their good behaviour." Yet this king, who by thus withholding the execution of that part of the constitution which related to the Judges, rendered the judicial office provisional, and completely dependent, had been lauded in that House as a philosophic monarch! Undoubtedly, if cunning meant philosophy, he possessed a most superabundant store of wisdom, for, by withholding the constitution of the Courts, he contrived to keep in his hands, during the fifteen years of his reign in Belgium, an unlimited control over the Judges in that kingdom. The law of libel declared, that whoever excited a hatred of the government, or created any distrust (*mefiance*) of the government, should receive, as a minimum of punishment, one year's imprisonment, and six hours in the pillory, whilst the maximum of punishment should be death. This was the detestable law, under which Belgium had laboured for fourteen years. The law was published on the 25th of April, 1815, and not a single year had elapsed without somebody being prosecuted under this law. In the month of June, 1830, no less than thirty-two prosecutions were commenced under this law, on the same day. He would now name a few of the leading cases of oppression which had occurred under this mild philosophic king of the Netherlands. The first case he would allude to, was that of Mr. Wallace, who had presented a memorial to the assembly at the Hague, praying that he might be allowed to institute a prosecution against the minister of police, for having illegally and tyrannically banished from Brussels two French gentlemen, who had resided at that capital, and who were entitled to all the rights and privileges of free and natural born subjects. For laying this petition before the house, Mr. Wallace was thrown into solitary confinement for sixty-six days. He was then brought to trial, for a transportable felony, and if he was acquitted he did not owe his escape to the king, or to his prosecutors. He could quote very many other instances of oppression. He would allude to a case of a priest at Antwerp, a man of the highest respectability, a most exemplary character, and one who employed his leisure time in the pursuits of literature. This person was invited to a dinner in a private family at Antwerp, and in the course of the entertainment, he produced some Latin verses, in which there was a line expressive of the sentiment, that the Belgians were ignorant of submitting to a foreign yoke—

"Nescit subire jugum."

For this line he had to suffer two years' imprisonment. He would now come to the case of M. de Potter. That gentleman's articles in the newspapers were so written, that it was impossible to attack any one of them with a view of bringing it under the law of libel; and what was the stratagem of Government? They took them all together, declaring, that though not separately libels, they were libels taken as a whole, and tried M. de Potter before the Premier President, without a Jury, and sentenced him to seven years' transportation. M. de Potter was a politician, and might merit the anger of Government; but what could be thought of the case of M. Vander Spragen? This gentleman published a large octavo volume upon Political Economy, and a prosecution was immediately commenced against him. M. de Potter's prosecution was going on at the same time; and a gentleman, M. Van de Weyer, now the Ambassador to this country, was the Keeper of the Public Library; he was Professor of Philosophy, and he had been elected Keeper of the Royal Manuscripts. M. de Potter sent to him to know if he would act as his counsel, and he replied in the affirmative; but on this being known, an intimation was forthwith conveyed to him, that if he acted as counsel for M. de Potter, he would be immediately deprived of his office. "You may deprive me of twenty places," he replied; "but I will do my duty?" Immediately he rose in Court to defend his friend; no sooner had he uttered the word "Messieurs"—the term in which Pleaders commence in addressing the Court—than a royal messenger rose, and gave him his dismissal from his official situations. How, too, did the upright King of Holland proceed in ths case of M. Van Staaten. That gentleman had applied to seven members of the legal profession to draw up his case. The very next day all these seven gentlemen were committed to gaol, and were held without bail or mainprize, nor was it until a twelvemonth had elapsed that they were restored to their profession. In hearing of this case, who could forget that of the seven Bishops in England, which was followed by a revolution that no man could hesitate to justify, and yet the bigotted tyrant who prosecuted the seven Bishops never thought of prosecuting the Counsel that undertook their defence? But the Press in Belgium was open to prosecutions by foreigners. The king of France had a Belgian writer prosecuted and punished. And who was the next prosecutor? Why, it was no less a man than the beloved Ferdinand. A paragraph had appeared in the papers acknowledging that Ferdinand was an excellent embroiderer, but at the same time the writer took the liberty of doubting if the Virgin Mary would be much pleased with a petticoat embroidered by hands that were stained with innocent blood. The beloved Ferdinand prosecuted the writer of this, and he was punished. Even the Duke of Wellington tried his hand at these prosecutions. The Governor of some colony had neglected his duty, and great disturbance had been produced in consequence in the interior. The writer stated, that the Governor was a friend of the Duke of Wellington, and that his object was to throw the colony into the arms of England. The Duke of Wellington on this instituted a prosecution for libel, and had laid his damages at 10,000 florins, and what did he get? why, five fancs. He would do his Grace the justice to say, that he believed, that he did not put one penny of this in his own pocket. The Burgomaster of Maestricht, for opposing an illegal tax, had been tried and acquitted, but was deprived of his office, and of all his political rights. Another Burgomaster, for suggesting a petition to the House of Assembly in favour of the Jury law, was dismissed from his office, and deprived of his political rights, by which he lost his chance of being returned as a member of the Chambers. A Baron Stassart, a native Belgian, who had served in the French army, had resigned his pension of 10,000 francs in France, and had preferred to reside in his native country, upon a pension of only 1,800 guilders. He was a member of the second Chamber, before which was laid a petition complaining of grievances, and he voted that the petition should be received and considered. The next day he was deprived of his pension, and his political rights were taken away from him by this philosophic king. The noble Lord was wrong in his opinion of the press. The public press was intelligent enough. The noble Lord should reflect that there were 80,000,000*l.* of Dutch debt, some of which was due to English subjects, and this, he might easily imagine, would have its influence on the English press. The manner in which he had been reported in the leading journal was rather singular. It was something new for a reporter to state that a speech of his had received "a sneering answer." Such a thing had never before happened to him, and it had never happened except to him. To call the Belgians rebels was an abuse of terms, and a gross calumny. With respect to the religious part of the question, the Pope had considered himself to be defrauded in the transaction. The greatest tyranny had been shown in the licensing of schools. Not Carlile or Taylor could have gone farther in religious freedom than the Emperor Joseph 2nd, and his foundation of the College at Brussels had created the revolution of 1787, and yet the Catholic clergy were obliged to pass three years in study at this college. He had now shown that he had exaggerated nothing. He had been attacked, but what had been his crime? He had merely assailed the Toryism of Holland, a Toryism similar to that which had devastated his own country, and yet this had excited the anger of a right hon. Baronet.

> "Sejanus, Wolsey hurt not honest Fleury,
> But yet would put some statesmen in a fury."

He had now shown, that the Belgians were called upon by every sanction of religion to endure their tyranny only until they could snap their chains, and he trusted that they would never again be united.

Lord *Althorp* did not think an attack upon the king of the Netherlands a proper mode of proceeding, and it was only because the noble Lord had made a statement in answer to what the learned Gentleman had said on a previous night, that he felt disinclined to interrupt the learned Gentleman, although the whole discussion was very irregular. He thought it far from desirable, that the discussion should be proceeded in. The subject extended over fifteen years, and it was not likely that the debate would be speedily concluded.

Sir *Richard Vyvyan* said, that the hon. and learned Gentleman had said, that the Belgians had had sufficient ground for the course they had adopted; but surely there was no one who had heard the remarks of the hon. and learned Gentleman, both on that and on a former night, who would not admit, that what he said was more directed to another country than to that which formed the ostensible object of his two speeches. Much had been said respecting the Belgian Debt. It might be true, that it was not so large as that of Holland; but the hon. and learned Gentleman now admitted, there was a debt, which he had before denied. The hon. and learned Member had again misstated the facts of several divisions of the second Chamber on the Jury question. As to all the special cases of individual hardship which the hon. and learned Gentleman had enlarged upon, they had nothing but bare assertion to rest upon; but all the cases and circumstances he had mentioned did not justify the Belgians in casting off their allegiance. Contenting himself with these observations for the present, he should only say, that whenever the hon. and learned Gentleman thought proper to bring forward a motion on the subject, or bring the subject in any form again before the House, under circumstances in which it would be practicable to collect evidence, he should be prepared to answer him.

SUPPLY—LESCESNE AND ESCOFFERY.] The House resolved itself into a Committee of Supply.

Mr. *Spring Rice* moved, that the sum of 11,270*l.* be granted to Lewis Celeste Lescesne, and James Escoffery, to compensate them for their losses in being moved from the island of Jamaica, by order of the Duke of Manchester, in 1823.

Mr. *Hume* said, that 5,000*l.* had already been voted for this purpose, and he protested against anything further being paid out of the pockets of the people of England. If any wrong had been done to these individuals by the Assembly of Jamaica, the people of that island ought to make the compensation. It was not to the principle of just compensation that he objected, but to the House granting it without such necessary previous information as would enable the Members to determine, first, the grounds on which the claimants were entitled to compensation; and next, the proper quarter for defraying the burthen of it. Till, therefore, Ministers furnished the documents with respect to the present case, which he had on a recent occasion unsuccessfully moved for, he must give the vote a decided negative and take the sense of the Committee on it.

Mr. *Spring Rice* said, the question lay in a short compass—namely, whether these two gentlemen were entitled to compensation; that is, whether they had been illegally deprived of their situations by the Duke of Manchester, and exposed to consequent unmerited suffering, or otherwise; and who were the parties bound to afford the compensation? The whole point turned on another question—as to whether they were, or were not, aliens? If they were, the Duke of Manchester had not exceeded his functions of governor; if they were not, he had acted illegally, and they were entitled to compensation. The case had been fully inquired into in the years 1824 and 1825 in the island, and the report, and all the documents on which it was founded, referred to Mr. Justice Richardson, in 1826, for his decision. That gentleman having, however, retired from his judicial duties, in consequence of ill health, the whole case was referred to Mr. Serjeant Bosanquet, and that learned lawyer gave it as his opinion, that the Duke of Manchester had acted illegally towards the claimants under the present vote; for that they were not, in the eyes of the law, aliens, but British subjects. Mr. Bosanquet's opinion, and all the documents on which it was founded, were then referred to the then Attorney and Solicitor General, and they decided that that opinion was just and legal. The only question, then, that remained was, the amount of compensation, or damages, for unmerited suffering; and this point was left to the arbitration of Mr. Selwyn, upon whose award a Treasury minute was issued under the administration of the right hon. Baronet (Sir G. Murray) opposite, who then filled the office of Colonial Secretary, under which minute, dated the 30th of July, 1830, a sum was paid to the parties on account, with an explicit promise on the part of the Treasury, that the remainder would be made good by a vote of Parliament. Hence the present vote, to which, as founded, after the fullest inquiry, on the opinion and award of gentlemen eminent in their profession, and free from all personal bias one way or the other, he could not anticipate any opposition.

Sir *George Murray* said, he would only trouble the Committee with a very few observations upon this subject, understanding from the right hon. Gentleman, who had stated very accurately the particulars of the case, that no blame whatever was attached to the Government which preceded the present in what had been done. The arbitration, he thought, had taken place when his lamented friend, the late Mr. Huskisson, was in the Colonial Office. He had but few words to say as to the share which he had taken in the transaction. After the report of the arbitrators had been made, there was a supposition that some new facts might be elicited, which would possibly alter it, and he thought it incumbent upon him to send other papers, which had reached the office, to the parties who had the case before them. The result was, that the same decision was pronounced, and it was not till the Law Officers of the Crown had, after due investigation, confirmed the opinion of Mr. Serjeant Bosanquet, that the Committee was called upon to vote the remaining sum, part of which had been already paid, the amount of the compensation given.

Mr. *Burge*, having been a member of the Council of Jamaica, which had advised the Duke of Manchester to act as he had done towards the parties interested in the present vote, felt that it would be indecorous in him to offer an opinion on the merits of the case, in the absence of the documents essential to its thorough elucidation. He would therefore leave it in the hands of the Committee—merely observing, that he was confident that the documents, if produced, would show that the Council of Jamaica were warranted to act as they had done.

An *Hon. Member* said, that the country relied on the professions of Ministers and their supporters to enforce economy to every possible extent; and therefore would hear with surprise of the present vote. As it was plain, from the statement of the hon. Secretary of the Treasury, that the Duke of Manchester's having acted illegally was the original error, why, he asked, in the name of common-sense and common justice, should not that noble Duke, and not the public, be called upon to defray the expense of compensation?

Mr. *Warre* agreed with the hon. Member, but still felt himself compelled to give a reluctant vote in favour of the Motion as it stood. The statement of the hon. Secretary of the Treasury made it evident, that they were committed to the present vote, else he would divide with the hon. member for Middlesex against it.

Lord *Howick* had, on a recent occasion, resisted the Motion of the hon. member for Middlesex, for the production of the documents to which the present vote referred, on the ground, that their printing would cost 6,000*l*., and that the whole legal inquiry would have to be gone over again by that House, and the House had agreed with him in negativing the hon. Member's motion. The inexpediency, then, of producing these papers having been thus decided, the only question was, whether the Colonial or the Home Government was bound to make good the award made in favour of Messrs. Lecesne and Escoffery. It appeared to him plain, that as Ministers were responsible for the Colonial Governors appointed by their advice, they, and not the Duke of Manchester, were the persons bound to afford compensation to individuals illegally used, like the present claimants.

Sir *John Bourke* said, if the hon. member for Middlesex persisted in his motion, he should vote against it; but, if the hon. Member would shape it for a Committee to inquire into the claims of the parties, he would support such a motion.

Sir *Charles Wetherell* said, that the formation of a Committee would be of no benefit; the case had already been fully investigated. With respect to the act of the Duke of Manchester, it must be taken as the act of the Government. He did not say, that the Duke of Manchester was bound to follow the recommendation of the Assembly for the removal of the individuals, but, had he not, he would have been placed in a disagreeable position. It would be a gross act of injustice to require the noble Duke to pay the compensation awarded.

Mr. *Fyshe Palmer* cared not much who made good the award, so as Messrs. Lecesne and Escoffery received the compensation to which their most unmerited treatment fully entitled them. He considered these individuals to have been most cruelly used, and he thought that they ought to have compensation, no matter whether it came from the Colonial Assembly, or from the Duke of Manchester, or from any other quarter. This country was only called upon to give 16,000*l*. as a compensation for the grossest act of perfidy and injustice ever committed. He said this knowingly, because he had given some attention to this matter. He was not connected with either party in this case; but if he had any connexion with it, his connexions and his relationship lay rather on the other side than on that which he was then advocating. He left it to the feeling and to the justice of the Committee to do what was right on this occasion; but when he considered the whole series of oppression which these individuals had endured—when he recollected that it was such as no English Legislature had ever sanctioned before—he thought that it was incumbent upon the House to make them ample compensation for the indignities and injuries which they had suffered. Indeed, he would put it to the Committee whether 16,000*l*. could be a sufficient compensation to individuals, who, independently of their pecuniary loss, had been manacled, tied neck and heels, and carried out of the island like slaves? In conclusion, he maintained that the Committee was bound to make to these individuals the most ample compensation within its power.

Mr. *Serjeant Wilde* contended, that the

Committee should give these individuals, not only ample, but also immediate compensation, inasmuch as a delay of all justice for seven years was something very like a denial of justice. It had been admitted on all hands that these individuals had been injured by the conduct of a representative of the British Government; he therefore insisted that the British Government ought to be responsible for the injury which its representative had inflicted. He thought that it would be hard upon the Duke of Manchester to make him personally responsible, as he had acted upon the advice of the law-officers with which the Government had provided him. He was of opinion that the case ought not to be re-opened, as it had been submitted to the arbitration of a most upright, learned, and pains-taking Judge, Mr. Justice Bosanquet, who had decided it in favour of Messrs. Lecesne and Escoffery.

Mr. *Burge* could not refrain from observing, that the hon. member for Reading had been wanting in common justice towards him (Mr. Burge) when he (Mr. Palmer) gave so strong an opinion upon this case, without knowing any thing of the evidence by which it was supported. He denied that these individuals had been either manacled or tied neck and heels. He would not enter into the defence of the authorities of Jamacia upon this occasion, however he might be provoked by unjust accusations to do so. He would only implore the Committee to suspend its judgment with regard to this transaction, until the Members were made acquainted with all the circumstances connected with it.

Mr. *O'Connell* contended, that these individuals had been most unjustly and oppressively treated, and he cared not by whom. They had sought a trial—they had been refused a trial—and yet, after all, they had been convicted without a trial.

Mr. *Burge* denied the truth of this statement.

Mr. *O'Connell* persisted in declaring, that they had been convicted on the green-bag evidence of the Colonial Assembly of Jamaica; and then, because that evidence would not satisfy a Court of Justice, had been deported as aliens. Now they claimed to be, and had since proved themselves to be, British-born subjects; and the establishment of that fact rendered the use of the Alien Act against them still more oppressive. The hon. and learned Gentleman, after entering into the facts of the case, which have been repeatedly published, proceeded to enforce their claims to compensation, on the ground that though economy was a good thing, justice was a better. He was also of opinion, that the Duke of Manchester ought not to be made pecuniarily responsible for the injury which these individuals suffered, as he had merely acted in conformity with the advice given him by the Assembly and the Council. He believed that, if he had refused to act according to their advice, he would have been liable to an impeachment.

Mr. *Hunt* said, that if these persons were to be indemnified, so ought every man who had been imprisoned under the suspension of the Habeas Corpus Act. If the hon. member for Middlesex did not persist in dividing the Committee upon this clause, he should.

Mr. *Fyshe Palmer* was surprised at the accusation of injustice which the hon. member for Eye had brought against him, for the speech which he had made upon this subject. Though he had not examined all the papers connected with it, he knew that they had been referred to the decision of a most learned and upright Judge, and that that Judge had declared, that these two individuals had been harshly and unjustly treated, and ought to be recompensed. He should have felt the rebuke of the hon. member for Eye more deeply, had he not recollected, that that hon. Member was, to a certain degree, mixed up with this transaction, and that he was now bound to confirm in the House of Commons the judgment which had been given by his advice in the Island of Jamaica.

Mr. *Burge* said, that the advice which he, as Attorney-general of Jamaica, had given to the Duke of Manchester on this transaction, had met with the approbation both of the Council and of the Assembly of that Island. He did not wish to shrink from any of the measures which he had then advised.

Mr. *Keith Douglas* thought the present discussion altogether unnecessary, as the whole question had been previously settled by the House. The Government was bound, he thought, to grant the compensation awarded.

Mr. *Hume* was of opinion, that the present Government was not bound to carry into effect the award made during the late Government. He admitted, that injustice had been done to the two individuals but he must contend, that the people of this country were not bound to provide the compensation. He would not consent to vote the money unless some further information were supplied on the subject.

The Committee divided on the original question, Ayes 117; Noes 12; Majority 105.

List of the NOES.

Blamire, W.
Burke, Sir John
Dick, Quintin
Dixon, J.
Gillon, W. D.
Gordon, R.
Godson, R.
Guise, Sir William
Hodgson, J.
Hunt, H.
James, W.
Williams, Sir James

TELLER.

Hume, J.

SUPPLY—IRISH ESTIMATES.] Mr. *Spring Rice* said, he had the honour to introduce the Irish Estimates to the House. They had been framed with the greatest attention to economy, and he hoped they were not liable to many objections. It was in contemplation to introduce measures which he hoped would be attended by a considerable saving, but they were not able to carry them into effect immediately. The first vote he should propose was, 5,794*l.* for the Protestant Charter Schools in Ireland for 1831. The Committee would observe that there was a considerable reduction in this vote, as last year the sum proposed was 8,950*l.*

Mr. *Hume* asked when these grants were likely to cease; he had the strongest objection to these schools, which tended to promote religious animosities.

Mr. *Spring Rice* intimated, that it was proposed first to reduce this grant to 3,000*l.*, and soon to cause its cessation altogether. It was in a state of gradual reduction; a few years since, the amount was 40,000*l.*—

Mr. *O'Connell* said, the houses and buildings now occupied by these schools were purchased with the public money. If they were to be broken up, care ought to be taken to secure the buildings, and not allow the trustees to have them.

Vote agreed to.

On proposing 27,824*l.* for the Foundling Hospital,

Mr. *Spring Rice* stated, that this vote also was in course of gradual reduction, with a view to its abolition as early as possible.

Mr. *Ruthven* felt some regret at hearing these grants were to be gradually reduced. The poor people in Ireland had no other resource than these charities; they had no Poor-laws to fly to.

Mr. *Hume* said, the whole principles of Foundling Hospitals were bad; they inculcated bad habits, and fostered immorality. They induced the poor to look on them as asylums for their children, and thus made them indifferent to the consequences of their conduct. They were the resources of bad governments; Scotland required no such grants. They ought, by all means, to encourage feelings of self-reliance and habits of forethought in the lower orders, which such institutions had a direct tendency to counteract. He was glad to hear the grant was reduced.

Mr. *O'Connell* concurred with his hon. friend that the principles on which such institutions were founded were bad. The mortality in them was frightful, and he feared the consequences were made worse by the salaries and allowances to the nurses not being regularly paid. He should recommend hon. Members to read the reports; the deaths were so numerous as to be hardly credible.

Mr. *Spring Rice* said, the delay of the payment of the salaries was caused by the time taken to prepare the Estimates.

Lord *Granville Somerset* said, it was the general feeling of the Committee to whom the whole subject was referred, that the grants should be gradually abolished. It was only on account of the children already in the asylums, that the grant was not instantly discontinued. If the children were not humanely treated, the trustees and overlookers of the institution were to blame.

Mr. *O'Connell* had strong reasons for believing, that the nurses treated the children intrusted to them with the utmost kindness. There were many instances of the children retaining the strongest attachment through life to them.

Mr. *Hume* said, it appeared, notwithstanding the recommendation of the Committee, that children were admitted last year. This was wholly improper, and a neglect of duty in the late Government; the resolution was, "that the Committee recommend that all admissions of children to the Foundling Hospital shall cease and determine after the 1st of January, 1830."

Vote agreed to.

Mr. *Spring Rice* moved "That 21,200*l.* be granted for the House of Industry, Dublin, the Lunatic Department, and three General Hospitals attached." There had been a reduction in this grant, since last year, of 1,800*l.*; and he hoped still further ones would be made, particularly in the salaries.

Mr. *Hume* considered, that the people of Dublin ought to pay all the expense of these local charities, but if the public were to subscribe to support local institutions, hospitals, on a good footing, were the best that could be supported.

Vote agreed to.

Mr. *Spring Rice* said, the next resolution was, "That 1,388*l.* be granted for the Richmond Lunatic Asylum."—The expenses of this institution had been reduced this year 5,312*l.*, the last year's estimate being 6,700*l.*

Mr. *O'Connell* regretted very much to see these grants reduced. Many charitable institutions would be discontinued in consequence. The assumed saving was, after all, a mere transfer, the expense being saved to the public, but thrown upon the starving peasantry of Ireland. These grants had been given to compensate in some degree the loss occasioned by so many absentees, and others, who were compelled to attend their duty in England, and there spent much of their revenues.

Mr. *Spring Rice* said, however the hon. and learned Member's remarks might apply in general, they did not apply to this institution in particular; it was a local charity, and its benefits confined to a particular district.

Vote agreed to.

Mr. *Spring Rice* said, the next resolution was, "That 6,323*l.*, be granted for the Hibernian Society for Soldiers' Children." A reduction of 1,273*l.* had been made since last year, in this grant. There were formerly 800 children in the school, there were now 500, and they proposed to reduce the number to 300, which would allow of still further reductions.

Mr. *Leader* regretted, that the orphans of soldiers, who had fought the battles of their country, were to be deprived of the benefits they enjoyed by means of this institution.

Mr. *Hume* said, the children of artizans had as much right to be maintained by the State as the children of soldiers. This institution could not, however, be abolished in Ireland, while a similar one was kept up in England, but he hoped the grants for both would be discontinued.

Mr. *O'Counell* said, the children of Catholics were only admitted into these schools on the understanding, that they were to be educated as Protestants. He hoped some explanation would be given if this was really so.

Mr. *Spring Rice* said, he was not aware of that particular circumstance, but he must observe, that, as the expense of supporting the orphan children was borne by the State, and as it was obvious they must have some religious education, it would follow, that the only one that could be given them was that founded on the religion of the State.

Mr. *O'Connell* said, the Catholic relations of these orphan children objected to send them to the school, where they knew they would be educated as Protestants. This led to their total exclusion. If the Protestant religion was that of the State, the Catholic religion was that of the great majority of the Irish people, and the exclusive system had a pernicious influence on their minds.

Sir *George Murray* said, the exclusive system had been much relaxed. The children were now allowed to be apprenticed to Catholic masters, although he acknowledged the school was still under the superintendence of a clergyman of the Established Church; but the children of both persuasions were similarly treated in every respect.

Sir *Henry Hardinge* could also assure the House that the children of Catholics and Protestants were placed on the same footing.

Mr. *O'Connell* said, the system altogether was what he complained of. The Protestant soldier's child was educated in his father's religion, the Catholic in what was called the State religion.

Vote agreed to.

The next vote was, "That 1,268*l.* be granted for the Hibernian Marine Society."

Mr. *Spring Rice* said, the grant had been reduced 132*l.* since last year.

Mr. *Hume* recommended that this vote should be withdrawn as speedily as was compatible with justice to those who happened to be at present on the institution. There were considerable abuses connected with it. The children educated there, were not those for whose benefit it was intended, and the expenses besides were far too large for the number maintained.

Mr. *Spring Rice* replied, that all admissions were to be stopped for the future, as it was in the contemplation of Government to anticipate the hon. Member's suggestion.

Vote agreed to.

The votes,

1,291*l.* for the Female Orphan House;

2,900*l.* for the Westmoreland Lock Hospital;

2,000*l.* for the Lying-in Hospital;

1,578*l.* for Dr. Stephen's Hospital;

2,860*l.* for the Fever Hospital, Cork-street, Dublin; and

465*l.* for the Hospital for Incurables, were agreed to without opposition.

The House resumed.

WINE DUTIES.] On the Motion of Lord Althorp, the Order of the Day for the second reading of the Wine Duties' Bill was read, and the question put, that the Bill be read a second time.

Mr. *Courtenay* rose, and being called on by the Speaker, though Mr. George Robinson rose at the same time, went on to say, that he was sorry to interfere with the hon. Gentleman, but as the hon. Gentleman had had an opportunity on a former occasion of addressing the House on the subject at great length, he must then take the liberty of saying a few words on that important question. In opposing the second reading of the Bill, he begged to be understood as not opposing the principles of the noble Lord. In the situation in which he stood, as well as when he was in office under the Government, he had given this subject a great deal of attention, and, though holding principles somewhat similar to those adopted by the Government, he had come to the conclusion that it was not possible to alter these duties without acting inconsistently with treaties. Before, however, he noticed the treaty, he would beg to offer one word with respect to his own consistency. In the course of the Session before last, an hon. friend of his, now the Secretary of the Board of Control, brought forward a motion touching grievances with respect to the wine trade. It fell to his lot to be the organ of Government on that occasion; and he did then certainly state, that he agreed, to a considerable extent, with his hon. friend, but he also stated on the part of Government, that it was placed in this difficult situation—that it could not interfere with the wine duties, without a communication with the government of Portugal, and the difficulty lay in Portugal having a sovereign whom we had not acknowledged. The argument of his hon. friend was reiterated and reinforced by Mr. Huskisson; but so far from taking a different view of the subject to that taken by the Government, it was, he said, its duty to consider the question, whenever the state of diplomatic relations with Portugal would permit. It was no new opinion of his, that the Methuen Treaty was in the way of the arrangement of the noble Lord. A legal gentleman, extremely well versed in these matters, had given his opinion as to the propriety, according to the law and customs of nations, of departing from that treaty without previous discussion; and he said, that there was no way of getting out of the difficulties raised by the treaty, except by putting upon it that construction for which the noble Lord contended, but which would be a practice so exceedingly sharp, it would be so pettifogging a construction, that it would not become the dignity of an honourable Government to resort to it. This advice was received when he was in office; and he trusted, therefore, that the House would at least believe, that he was sincere in his opposition to the Bill of the noble Lord. The noble Lord, in speaking on the subject of the compact, said, that this question depended entirely upon the Methuen Treaty. The noble Lord, in support of his argument, read a part—but a part only—of that treaty, and omitted to read the first Article, which was as follows "His sacred royal Majesty of Portugal promises, both in his own name and that of his successors to admit for ever hereafter, into Portugal, the woollen cloths and the rest of the woollen manufactures of the Britons, as was accustomed till they were prohibited by the laws: nevertheless, upon this condition." The second Article was this, "That is to say, that her sacred royal Majesty shall, in her own name, and that of her successors, be obliged for ever hereafter to admit the wines of the growth of Portugal into Britain; so that at no time, whether there shall be peace or war between the kingdoms of Britain and France, anything more shall be demanded for these wines, by the name of custom or duty, or by whatsoever other title, directly or indirectly, whether they shall be imported into Great Britain in pipes or hogsheads, or other casks, than what shall be demanded from the like quantity or measure of French wine, deducting or abating a third part of the custom or duty;" and then there was this proviso, upon which the noble Lord relied. "But if at any time this deduction or abatement of customs, which is to be made as aforesaid, shall in any manner be attempted and prejudiced, it shall be just and lawful for his sacred royal Majesty of Portugal again to prohibit the woollen cloths and the rest of the British woollen manufactures." It would be quite impossible to find in any treaty words more decidedly of a permanent character than these articles—" for ever," and " at no time;" nothing certainly could well be stronger than those words. It certainly was intended to be as binding, and to last as long, as any treaty that ever was made. But the noble Lord endeavoured to get over the difficulty, on the principle of retaliation. He said, if Great Britain should at any time depart from this treaty, Portugal might also depart from it. It was a treaty that might be put an end to at any time, by either party. That was certainly the effect of what was said by the right hon. the Vice-President of the Board of Trade, although the noble Lord, indeed, did not say " either party." The noble Lord said, we might at any time commit a breach of this treaty, provided we were ready to bear the consequences. He was astonished to hear the noble Lord argue as if there were no moral obligations to be borne in mind, but simply taking this circumstance into consideration, and at once coming to the conclusion, that we might, on the ground of any diplomatic policy, violate a treaty, provided we were ready to abide by the penalties imposed on us for pursuing such a course of conduct. He was astonished to hear that doctrine from the noble Lord, considering him a straightforward, single-minded, Englishman; but he was more astonished to hear such doctrines, when he recollected, that the noble Lord was Chancellor of the Exchequer, because it was precisely the argument used by those who committed breaches of the revenue-laws. "Oh!" say the smugglers in high life, "there is no harm in doing this, because, if we are found out, we are perfectly willing to pay the penalties." That view of the subject could not be taken by an honourable man, and still less by the head of the Revenue Department. The noble Lord devised his measure with the ingenuity of a pettifogger, and justified it with the sophistry of a smuggler. The noble Lord said, that the view he took of the Methuen Treaty was also taken, first, by the Lords of Trade, who made an elaborate report, in the year 1767, which was laid upon the Table of this House last year, and afterwards by Mr. Pitt. He was at issue with the noble Lord as to both these authorities. If the noble Lord would turn to the report, he would find only one passage which touched at all upon this part of the question; and it would appear from this passage, that the Lords of Trade were of opinion, that nothing would justify us in breaking the Methuen Treaty, but the government of Portugal departing from its specific terms. Therefore, if this had any bearing whatever upon the subject, it would act against the view taken by the noble Lord. He contended, however, that it had no bearing upon the question. With respect to Mr. Pitt's opinion, he admitted, that Mr. Pitt was very anxious—quite as anxious as the noble Lord—to get rid of the Methuen Treaty, and to open an intercourse with France; he admitted, that Mr. Pitt even went so far as to propose Resolutions in this House for equalizing the duties on wines; but he never did for one moment admit, that we were at liberty to depart from the words of the Methuen Treaty. He then made use of these expressions, "I have every reason to expect the negotiation with Portugal will prove successful; if, however, it should fail, in either case, I will come down to the House, and, in one of the two situations, will move a Resolution to lower the duties on Portugal wines, one-third below the duties on French wines; in the other, I will lay before the House the grounds on which the Administration consider the Court of Lisbon as no longer willing to comply with the Methuen Treaty." Mr. Pitt considered himself bound to adhere to the Methuen Treaty, so long as the Court of Lisbon expressed its determination to abide by it. He challenged the noble Lord to produce any passage, to prove that it was in the contemplation of Mr. Pitt to commit a breach of the Methuen Treaty. It was stated, that Mr. Pitt, in a letter read by the Vice-President of the Board of Trade, threatened, that if Portugal persevered in committing breaches of former treaties, we might be induced, on our parts, to depart from the treaty of 1703. He was ready to admit, that, if we could make out against Portugal a case of a breach of other treaties, that would authorise us to break the treaty of 1703. But how stood the case before the House, with respect to those breaches of treaty? Why, upon the motion of his hon. friend, the Secretary for the Board of Control, they had a long statement of grievances up to the year 1813, but nothing of a subsequent date; and the House of Commons was called upon to act in a particular manner, in consequence of grievances, of the existence of which it could know nothing. If it were attempted to justify breaking the treaty, by alluding to grievances of recent date, he should answer, that we had the highest possible authority for saying, that the grievances caused in this, or the course of the last year, had been redressed. It was true, we were told, in the Speech from the Throne, that we had sustained a series of unexampled insults from Portugal; but it was also true, that the Speech said, that, on satisfaction being demanded, those grievances were redressed. The House knew nothing of the existence of any grievances, of later date than the year 1813, and we had no right or title whatever to break a treaty — a solemn compact with Portugal—on account of acts done by her so long ago. It was like the wolf and the lamb in the fable, to say to defenceless Portugal, you shall suffer for injuries done to us by your fathers or your grandfathers. It would be necessary, if this solemn treaty was to be broken, on the ground of misbehaviour on the part of Portugal, that his Majesty's Ministers should lay before the House the facts on which they rested their accusations, in order that they should be clearly and explicitly made out. The stipulation was made for ever, or until the two parties should agree to put an end to it; if one party put an end to it without the consent of the other, that produced a cause of quarrel; but, in this case, one was a very strong, and the other a very weak party. The stipulation, therefore, with respect to what Portugal might do, stood on these grounds:—England, being the stronger party of the two, it was introduced for the protection of Portugal; if Portugal broke the compact, we could protect ourselves; if we broke the treaty, Portugal had no other resource than to dissolve the treaty. But, the more it was out of the power—and we had had a recent public instance of the weakness of Portugal—the more it was out of the power of Portugal to make war against this country, the more England was bound, by every principle of humanity and justice, to adhere rigidly to that part of the treaty. Referring the question, then, as the noble Lord referred it, solely to the treaty, that treaty was a perpetual treaty, and could only be altered by mutual consent, and mutual consent could only be obtained by previous discussions; and, if our relations with Portugal were unfortunately so mystified as to prevent discussion, we were bound, as an honourable nation—bound by every consideration of justice and equity—to adhere to that Methuen Treaty until this Government should come to some final understanding with the government of Portugal. He would now say a few words as to the operation of the more recent Treaty of 1810. The 26th Article of that treaty said, "The two parties agree and declare, that the stipulations of former treaties, concerning the admission of the wines of Portugal on the one hand, and the woollen cloths of Great Britain on the other, shall, for the present, remain unaltered." It was quite certain, that this Article did not in any manner affect the argument deduced from the Methuen Treaty. It never could be supposed, that on the next morning after entering into the agreement, or at any subsequent time, without previous discussion, the treaty should be revoked. These arrangements certainly added nothing to the force of that argument, but they did not detract from it. There was one other article in the Treaty of 1810 which alluded to the Methuen Treaty—the thirty-second—by which it was agreed that the obligations of the Government, expressed or implied, should be perpetual, and should not be changed or affected in any manner. The next Article, however, gave to the two parties themselves, after fifteen years, the right of separately examining, discussing, and revising the several articles of that treaty, and of making such amendments or additions respectively, as the interests of their respective subjects might require. It was a matter of doubt whether the agreement extended or not to the Methuen Treaty, but it might be contended that the expression "expressed or implied" must extend to the Methuen Treaty, and he had understood, that the negotiator of the Treaty of 1810 stated that such was the intention with which it was framed. A very great authority in another place had said, that the sense of an Act of Parliament was not to be construed by the understanding of those who introduced it. That was perfectly correct in respect of an Act of Parliament, but the case was exceedingly different with respect to a treaty. It was, however, a matter of no great importance whether the thirty-third Article of the Treaty of 1810 were called in aid or not, because if the construction he had put on the Methuen Treaty was correct, all that Article did was, to prescribe a mode of proceeding in case of any proposition being made for altering it. He was sorry to go back again to the Methuen Treaty, but he wished to add, that it was laid before the House accompanied by a letter from the negotiator; from which it would appear, that he considered his country to be placed under a binding obligation. Mr. Methuen did not think, as the noble Lord did, that this was a matter from which Queen Anne or her successors might, at any time, depart, and he took great credit to himself for not having imposed any unnecessary restrictions. He concluded his letter by saying:—"By these means, her Majesty is under no restriction at all with respect to the duties on French wines, except that they must always continue one-third higher than the duties on the wines of Portugal." The negotiator most distinctly laid it down, that the treaty was to last for ever. He had already said, that he did not disagree with the noble Lord in principle. He was for equalization in all cases. At the same time he agreed with the hon. member for Worcester, so far as to admit, that there was no pressing necessity for adopting this measure now, considering the present state of our relations with Portugal, and the commercial conduct of France. Neither did he expect any great increase of our trade with France from it. At all events, however much he might approve of the Bill as a financier or political ecomist, yet he was bound to oppose it as a man of honour.

Mr. *George Robinson* said, that the right hon. Gentleman had made an extraordinary use of his statements, and he confessed he thought the opponents of the measure would not derive much advantage from his arguments. The right hon. Gentleman placed the whole question on the perpetual character of the Methuen Treaty; but it must be recollected, that at the end of fifteen years after the signing of that treaty, either party was at liberty to put an end to it if they thought fit. Dismissing it, therefore, he meant to apply himself to the purely commercial part of the question, and on that he believed the Government had committed a very dangerous error. The Vice-President of the Board of Trade (Mr. Poulett Thomson) had asked, with an air of triumph, if they thought that the Portuguese would deprive themselves of some of the most necessary articles of consumption, purely because this country admitted French wines on better terms? He would ask, in his turn, however, what was to prevent the Portuguese from equalising the duties on all the articles of export from England? According to the returns of 1830, it appeared that the exports to Portugal on official value amounted to two millions and a half, in addition to 200,000*l.* worth of cod, shipped from our colonies of Newfoundland. The fish which Portugal took from the fisheries of Newfoundland amounted to 300,000 quintals. The transport employed 100 sail of vessels, and it was received at a duty of fifteen per cent, while the fish brought by our great rivals, the Americans and the Norwegians, paid a duty of thirty per cent. The consequence was, that we enjoyed the monopoly of the market, in spite of the active competition of the Americans and the Norwegians. If the duty should be equalised, we should be driven out of the market. The noble Lord said, that if the duty should be equalised, we could compete with the Norwegians and Americans in Portugal, as we now competed with them in Spain. He would tell the noble Lord what had been the effect of that competition in Spain. Twenty years ago we imported into Spain 80,000 quintals of fish, whilst the Norwegians imported only 10,000. Now, the case was exactly reversed—we imported the 10,000 quintals, and the Norwegians imported the 80,000. Were the noble Lord, and those who advised him, acquainted with the state of our export trade to Portugal, as compared with that to other countries? Our exports to Portugal alone exceeded those to France, Prussia, Sweden, Denmark, and Norway, collectively. At the same time, our imports from those countries were ten times more than those from Portugal. But the noble Lord said, that by taking off part of the duty on French wines, we should induce the French to take more of our commodities. Experience might have instructed Ministers on this point. A few years ago we reduced the duty on French wine 6*s*. 6*d*. per gallon. It was now proposed to reduce it only 1*s*. 9*d*. per gallon. Our imports from France were now twice as much as they were at the time the duty was reduced, and our exports were only half as large as they were at the same period. If the large reduction of duty had failed to induce the French to take our commodities, it was but reasonable to expect that the small reduction would fail also. Unfortunately, many persons advocated what was called free trade, without considering the consequences to which that system would lead. Foreign nations knew what we meant by free trade. They knew that we wanted to obtain the monopoly of their markets, and to prevent them from becoming manufacturers for themselves. The United States of America, one of the most enlightened nations in the world, inferior to us in hardly any respect, repudiated the doctrine of free trade. She knew that she could get manufactured iron and cotton goods cheaper from us than she could make them herself. But she would not deal with us notwithstanding. She legislated for the future, and, knowing that she had an increasing population, determined to take measures for becoming a manufacturing nation herself. Already America was making rapid progress in manufactures, and from the information which he possessed on the subject, he believed, that in twenty years she would be altogether independent of English manufactures. He was at a loss to conceive what motive could have induced the noble Lord, embarrassed as he was with the Reform Bill, to trouble the House with this subject at the present time. Had the drinkers of French wines complained that they could not pay for their burgundy, champagne, and claret? If so, he would tell the noble Lord not to attend to them. The measure now proposed was a departure from the noble Lord's own principles. The noble Lord had always professed a desire to relieve the poorer classes. He was now relieving the wealthy, and placing an additional burthen on the poor and the middling classes. Whether he looked at it as a question of finance or of commercial policy, he considered it one of the most unfortunate measures ever proposed by a Ministry. If the noble Lord should succeed in transferring the wine trade from Portugal to France, he would add to the prosperity of a country which must always, to a certain degree, be our rival, and diminish the power of a nation which never could injure us ,but had, on many occasions done us good service. It was, however, impossible to increase the consumption of French wines of the first growth, owing to the limited quantity of them which was produced. In 1828, when the Americans, by a new tariff, placed almost prohibitory duties on British goods, what did the late Mr. Huskisson say? He stated, that this country might, and would perhaps, be driven to import cotton from the Brazils, in order to show the Americans that this country was independent of them. Was this a hasty observation, or was it not rather the deliberate opinion of a statesman, founded on the principle that where a country acted in opposition to us, it became our duty to deal with other nations which were ready to act towards us on a fair principle of reciprocity? He now called on the noble Lord to apply this principle to the case of France and Portugal. He knew very well that the hon. member for Middlesex dissented from the doctrine which he laid down. That hon. Member would say, " Let us go where we can get any article at the cheapest rate," without looking to any collateral circumstances; but this case was connected with collateral circumstances that ought not to be overlooked. If they did not draw a proper distinction, in their intercourse with friendly and unfriendly Powers (he spoke in a commercial sense) the situation of this country would be greatly deteriorated. During the late war, this country might be said to have enjoyed the commerce of the whole world, and there was an abundant market for her manufactures. This was not now the case; and both in France and in America they were rapidly improving their manufactures. It was, therefore, important that we should retain whatever market we at present possessed. But yet, though the state of commercial affairs was such as he had described, Ministers were adding to the evil, by throwing open the home trade to an extent that was never before thought of; thus accelerating that distress and difficulty which would by and by assail us, when it would be utterly impossible to prevent or to guard against it. In saying this, he was not actuated by any feeling of despondency. He believed the resources of this country to be almost exhaustless; but still he feared, if the line of policy which he deprecated were persevered in, that this country would, in time, be brought on a level with the poorest nations of the continent. The agricultural interest would be the next to suffer; for it appeared to him, that a free trade in corn would, in the end, be called for. But if we procured corn from Poland, silk from France, and other articles from various places abroad, he admitted, that the consumers would be benefitted, the few would reap a certain degree of advantage, but the many would be ruined. And then he would ask the noble Lord, who was to pay the taxes? The next thing would be, to come down on the Funds; for he would contend, that the system which was now introduced would be found incompatible with paying the interest of the Debt and supporting such establishments as ours. He should conclude with moving a number of Resolutions, as an amendment to the second reading of the Bill. In doing so, however, he despaired of making any converts to his opinion; but still he deemed it necessary to place his sentiments on the Journals of the House. The hon. Member concluded by moving, as an amendment, the following Resolutions.

"Resolved, that it appears, by official statements, that the exports of British and colonial merchandise, and of British manufactures, from the United Kingdom to Portugal and her dependencies, with a population of about 2,500,000, have amounted to the sum of 11,906,622*l.* official value, during the past five years, independently of exports of about 1,000,000*l.* during that period, from the island of Newfoundland, averaging 2,581,324*l.* per annum; the imports from Portugal and her dependencies into the United Kingdom not having exceeded 3,023,277*l.*, averaging 604,654*l.* per annum.

"That this beneficial commerce, the fruits of more than a century of close and intimate connexion with Portugal, is carried on almost exclusively in British shipping, the proportion being about seven to one, thereby affording employment to a large portion of our commercial marine, adding essentially to the naval strength of the empire, and promoting the interests of British commerce and manufacture, and the employment of the labouring population of this country.

"That, during the same period of five years, the exports of British and colonial merchandise, and of British manufactures, to France, with a population of about 30,000,000, have not exceeded 4,387,357*l.* official value, or 867,470*l.* per annum; the imports from that kingdom having amounted, during that time, to 11,282,190*l.* or 2,256,438*l.* per annum; and that, notwithstanding these imports have greatly increased since the late reduction of duty on French wines, silks, &c., the exports to France have materially diminished.

"That this limited commerce with France is carried on indiscriminately in French and British vessels in the proportion of about three to two only in favour of the United Kingdom, exhibiting a remarkable contrast with the trade of Portugal.

"That the magnitude of our exports to Portugal, as compared with France, is owing mainly to discriminating duties to the extent of about fifteen per centum in favour of Great Britain, giving almost the exclusive supply of her markets to British capital and industry; whilst the limited extent of our exports to France may be attributed to her discouragement of British produce and manufactures, by high protecting duties in favour of domestic capital and industry, to the exclusion of British competition:

"Therefore, that it is highly inexpedient to make any alterations in the relative duties now payable by law on wines imported from Portugal and France for purposes of revenue only, which might be attained by an equal increase of duty on all foreign wines, thereby hazarding the loss of a steady and valuable market for our surplus produce and manufactures, diminishing our naval resources, and incurring the risk of transferring our remaining fisheries in Newfoundland to rival nations, without a reasonable hope, that further concessions to France will be productive of any corresponding benefit to our commerce, as long as that government, notwithstanding the liberal example we have before shewn, continues to maintain her present system of commercial policy."

Mr. Attwood seconded the Motion.

Mr. *Courtenay* complained that the hon. member for Worcester had brought a most extraordinary charge against him — that of having spoken before the hon. Member. If he had done wrong in taking that course, he was extremely sorry for it;

but he was not aware that the hon. Member had a greater right to speak than he had, because the hon. Member had given notice of his intention to move certain resolutions.

Mr. *George Robinson* disclaimed any intention of bringing a charge against the hon. Member.

Mr. *Hyde Villiers* said, that, after the protracted and discursive address of the hon. member for Worcester, he should endeavour, as briefly as he could, to state his opinion on the question then before the House. The objections which had been raised went either to the policy of the measure altogether, or to the manner in which it was proposed to carry that policy into effect. He was surprised, that the right hon. member for Totness (Mr. Courtenay) should have endeavoured to re-construct an argument on a point which had formerly been introduced, and which had been successfully rebutted. The noble Lord, he believed, could easily satisfy the House, that the interpretation now put upon the Methuen Treaty was precisely the same that Mr. Pitt and other statesmen of his day had affixed to it. As to the notice required by the stipulations of the Treaty of 1810, that was only contemplated in the event of some peculiar change in this trade which did not exist at present. The stipulations of the Methuen Treaty and of the Treaty of 1810, remained just as they originally were. The right hon. Gentleman seemed to think, that the stipulations of the Methuen Treaty were not now in force, but that Treaty was at present as much in force as ever. If Portugal pleased, she might, under that treaty of alternatives, entirely change the duties on the few bales of woollens we now sent to that country, which proved that the Methuen Treaty was still in operation. He would not go into the history of the immense injury which this country had sustained from the great wine monopoly in Portugal. It was not an unimportant topic; but, on account of the lateness of the hour, and having formerly stated his opinion on it, he did not think it necessary to advert further to it on this occasion. As to the general policy of the proposed measure, he entertained not a doubt. The miserable and declining state of Portugal, in every point of view—the necessity which existed for securing markets for our immense population—the change which had taken place in the political system of Europe since the period of the Methuen Treaty, and the manifest propriety of strengthening the bond of good will between this country and France—these different considerations, as it appeared to him, perfectly justified Ministers in adopting the course which they had followed on this occasion. These considerations had only received their just and proper weight in the Bill now before the House. The commercial relations of this country with France had, for a long time, settled down unsatisfactorily, which was, he believed, chiefly to be attributed to England. An unjust feeling towards the exports of France, and an unwise preference for those of Portugal, had existed for 130 years. By now equalizing these duties, we should place ourselves in the right with France, whereas we were before decidedly in the wrong, by the preference we had given to Portugal; but he hoped, that it was now beginning to be understood, that strict commercial amity and alliance with France ought to be the chiefest care of statesmen who desired to preserve the peace of Europe, and who wished their country to pursue a career of prosperity and honour. In his opinion, an independent legislation, and an active diplomacy, founded upon the knowledge of the internal wants of the French people—a knowledge but too little cultivated hitherto, but which might be easily acquired—would give us a party in France always favourable to our commercial interests. A great effort would thus be made to place the commercial interests of the two countries on an improved footing. To maintain peace with France must be one of the chief cares of every wise and just statesman; and he knew no surer mode of effecting that object, than by the encouragement of an extensive commercial connexion. If this liberal course of policy had been adopted long before, the ports of France would be now open to us, and we should have had a ready market for our woollens, our cottons, our iron ware, &c. But, instead of that, the two countries had persevered in a system of mutual prohibition and restriction. As we were the first to adopt that pernicious system, he was very happy to find, that, by this Bill, we should now be the first to depart from it. The resolutions of the hon. member for Worcester appeared to be framed with so little knowledge of true commercial principles, and with so little acquaintance with the real facts of the case, that he did not feel it necessary to descant on them. It appeared to him, that the great fear of the hon. Member was, lest this measure should have an injurious effect with respect to the exportation of fish from Newfoundland to Portugal. But, were the people of this country to be content to suffer under, and to inflict on themselves, all the evils and mischiefs of the Methuen treaty, political as well as commercial, lest, by any chance whatever, the fish that was carried into Portugal from Newfoundland should, in future, be admitted into that country, at a rate of duty, to a certain degree, less favourable than at present? He was himself anxious for the prosperity of that trade; and it was a remarkable fact, that no apprehension of the kind which was entertained by the hon. Member, had been put forward by the inhabitants of Newfoundland. There was no reason whatever to suppose, that this measure would inflict any injury on the trade in fish. Portugal would scarcely attempt any thing of the kind, knowing, as she did, that we had in our hands, the means of immediate and ruinous retaliation. The hon. Gentleman had argued, that our imports from France were greater than our exports to that country, and that the reverse was the case with respect to Portugal. Now, many things that seemed to be imported from France were not so imported. Thus, silk, which came from Italy, through France, appeared to be an importation from France, though it really was not. Again, much of our exports to France was effected through the medium of a smuggling trade, and could not, therefore, be entered in the regular returns. He could not, therefore, subscribe to the accuracy of the hon. Member's calculations. The hon. Member complained, that the trade was at present restricted, and yet the specific which he prescribed to cure the evil was calculated to confine it within still more narrow limits. He regretted that the member for Worcester—a place of so much commercial importance—should withhold his support from the King's Government, in their praiseworthy exertions to extend the principles of free trade, and the division of labour, which was, in fact, the soul of trade, which would prove advantageous, in proportion as they were extended, and which were always attended with the most salutary effects, whenever they were acted upon.

Mr. *Sadler* did not think, that indulging in general arguments, as had been done by the hon. Member who had just sat down, was the best way to deal with a subject of this description, materially affecting the industry of the country. Such a subject should be discussed in a more practical manner, at a period when the agricultural and manufacturing interests were in a state of unparalleled distress. He should shortly have to lay petitions on the Table, from persons connected with the industrious classes, which would tell a different tale from those who declaimed upon the prosperity of the country. If the new system of universal liberality was to be adopted, without caring upon what system other countries acted, he should be glad to know, what was the use of the cumbrous and expensive Board of Trade, and of the other Boards, which were so well paid for considering commercial treaties. The treaty with Portugal was said to be the last vestige of the system of illiberal commercial regulations. That system, however, he contended, had exalted the commerce of this country to that gigantic state of health and prosperity, which had few prototypes in the history of nations. For the sake of encouraging a good understanding with France, it was now thought necessary to succumb to that country, by adopting a new commercial system. The experiment had been already made, however, with respect to France, but no beneficial result followed, for the principle of reciprocity was not acted upon by that country, and every attempt to conciliate her had been attended with a signal failure. It was not one of the features of the times least to be deplored, that ancient treaties were looked upon as little better than rotten parchment bonds; and in following some imaginary interest, to which Ministers were guided only by crude and abstract principles, the House was now asked to abandon the commercial treaty which so long united this country to Portugal. The hon. Member concluded, by expressing his concurrence in the Resolutions proposed by the hon. member for Worcester.

Lord *Althorp* denied, that under the Methuen Treaty, this country was interdicted from placing the wines of France on the same footing as the wines of Portugal. By such an arrangement, this country would be no longer bound to Portugal, nor Portugal to this country.

Portugal stipulated to admit our woollens so long as we admitted her wines at a duty inferior to that which we imposed on French wines; and, so soon as we increased the duty on Portuguese wines to the same amount as that on French wines, Portugal was no longer bound to admit our woollens. The right hon. Member (Mr. Courtenay) seemed to think, that he had not correctly quoted the opinions of Mr. Pitt and Mr. Fox on this subject, in 1787, when the commercial treaty with France was under consideration. Mr. Pitt then said, that admitting the wines of France would not amount to a breach of the treaty with Portugal, but that it might be considered as virtually putting an end to that treaty, for, that Portugal only stipulated to admit our woollens so long as we admitted her wines at a lower duty. He said, therefore, that, though the proposed treaty with France would be an alteration, it would not amount to a breach of the treaty. Mr. Fox was strongly opposed to the treaty with France; and, in looking back to the arguments used on that occasion, he did not hesitate to say, that he agreed in the views taken by Mr. Pitt, and was opposed to those of Mr. Fox. As Mr. Fox was very warmly opposed to the treaty with France, he could not assent to the principles laid down by Mr. Pitt. In the commencement of his speech, however, he distinctly conceded, that admitting the wines of France would be putting an end to, rather than a breach of, the Methuen Treaty. Both Mr. Pitt and Mr. Fox, therefore, took the same view as Ministers took, that it was competent for either Power to put an end to the treaty. Considering the immense resources of France, the circumstance of our trade with that country being so limited was a strong proof of the impolicy of the system adopted in our commercial relations with that country. The great export trade this country enjoyed with Portugal, did not arise from the commercial advantages which we enjoyed in Portugal, but because this country was the great consumer of the productions of Portugal. The reason why so large a quantity of the wine of Portugal came to this country was, not because of the advantages this country had in the Portuguese market, but because Portuguese wines were not much to the taste of other countries. The hon. member for Aldborough (Mr. Sadler) had stated, correctly enough, unfortunately, that great distress and difficulty now existed in the country; but what had that to do with the wine trade? As to the distress of the agricultural interest, this measure had nothing to do with it; and, though the manufacturing interests were pressed upon at the present moment, it was not the consequence of the principles of free trade. The manufacturers were not suffering from anything done of late years, but from the consequence of long wars. On the whole, he had not heard a single argument from the other side, which he conceived should induce the House to reject the proposition now submitted to it.

Mr. Alderman *Thompson* did not object to this measure on the ground of its being a breach of treaty with Portugal, but simply on the ground of its inexpediency as a measure of commercial policy. He should willingly agree to the reduction of the duty of 1*s.* 9*d.* a gallon on French wines, if he thought that reduction would open the ports of that country to our commodities; but since the previous reductions of duty on French wines, our exports to that country had not increased. Perhaps the fairest mode of settling the question, so as to protect our own interest, and keep faith with our old and firm ally, Portugal, would be, to impose an *ad valorem* duty on all wines. He did not share the common opinion as to the Oporto Wine Company, and thought it contributed to keep down the price of port wine. He wished to say a few words as to the effect which this Bill would have on the cultivators of Cape wines. It would not be denied by any person acquainted with the Cape of Good Hope, that the noble Lord's Bill would have the effect of completely ruining the wine trade of that colony. He would remind the House of what took place in 1821 with respect to Cape wines. At that period, every encouragement was given to the cultivation of the grape at the Cape. Premiums were held out for the best wines produced. A proclamation was issued in the colony, calling the attention of the merchants and capitalists to the cultivation of the grape, as one of the most important branches of industry to which the capital of the colony could be directed; and as a further encouragement to the colonists, it was stated, that no higher duty should be imposed on Cape wines than on those of British manufacture. In a statement of those engaged in the trade, this proclamation is thus noticed :—"By a Government Proclamation of 19th December, 1811, the merchants and cultivators of the colony of the Cape of Good Hope, were directed to the subject of the wine trade, as 'a consideration, above all others, of the highest importance to its opulence and character;' and such Proclamation, after authoritatively demanding from the settlement a serious and lively attention to their interests, promised the most constant support and patronage on the part of Government, and that no means of assistance should be left unattempted to improve the cultivation, and every encouragement given to honest industry and adventure, to establish the success of the Cape commerce in this her great and native superiority." This proclamation was followed by another, offering premiums to those who planted most largely, and those who produced the best wines, by the promise that the old channels of this trade should be re-opened, and new ones formed, and by a variety of regulations, all strongly evincing the lively interest which Government felt in promoting the trade, and which was fully ratified and confirmed by the Act of July, 1813, admitting Cape wines to the British market at one-third of the duty then payable on Spanish and Portugal wines. He had now before him the Report of the board of Commerce, which pointed out the ruinous effects which must follow from the increased duties. The increase of the duty to *5s. 6d.* per gallon, even though the operation of the Bill should be deferred as to Cape wines for two years, would involve the ruin of those engaged in that branch of industry. The Board of Commerce said :—"The present state of the Cape wine trade is a subject requiring the utmost reflection of every well-wisher to the colony. For several years past a large proportion of the wines exported have been sold at a loss, while those of the very best qualities have barely realized a remunerating price. But now every market that is open—but particularly that of Great Britain—is so exceedingly depressed from various causes, that no sale can be effected except at the most ruinous sacrifice. By accounts received within these few days from the Chairman of the Cape Trade Society, your Committee were informed, that his Majesty's Ministers had resolved on the measure of equalizing the duties on all descriptions of wines to *5s. 6d.* per gallon, which was equivalent to a prohibition of Cape wine altogether in that market. The Chancellor of the Exchequer had, however, been prevailed on, in consequence of the immediate and strenuous exertions of the Home Committee, and other friends of the colony, to abandon his original intentions in part, and to agree that Cape wines should be admitted at 2*s.* 9*d.* per gallon for the space of two years, when the duty is to be raised to the same rate as upon foreign wines—namely, *5s. 6d.* per gallon. The Committee congratulate their constituents and the colonists at large, on a respite from a measure which, if persisted in, would have caused immediate bankruptcy in the wine trade of this town, and eventually the total ruin of the cultivators in the wine districts. Although it is so forcibly declared, that no further protection will be given to the produce of the colony after the expired limits, your Committee would strongly recommend the necessity of sending repeated petitions on the subject to both Houses of Parliament, pointing out the injustice and inhumanity of destroying so extensive a branch of colonial industry, as well as the inconsistency of putting this colony out of the pale of the general system of protection granted to all the rest of the possessions of Great Britain. So long as the sugars of the West Indies and the Mauritius are admitted at 24*s.* per cwt., whilst foreign pays 63*s.*; Jamaica rum at 9*s.* per gallon, when foreign spirits pay 1*l.* 2*s.* 6*d.*; coffee 6*d.* per pound, foreign 1*s.* to 1*s.* 3*d.*—there can be no just reasons for excluding protection to Cape produce." He hoped that the Government would reconsider this subject, which would, in his opinion, have such great influence on the state of our trade with Portugal. He presumed that it was not the wish of Government to encourage the consumption of ardent spirits, but there could be no doubt that such would be the effect of this increased duty on Cape wine. At present, the labouring classes consumed a considerable quantity of Cape wine. A pipe, of ninety-two gallons, might be had for 10*l.*, and to which was to be added 11*l.* duty, so that it could be sold at a profit for 1*s.* per bottle. If the duty were increased to the extent proposed by the noble Lord, this article would be placed wholly out of the reach of the labouring classes, who, instead of wine, would consume ardent spirits. When the House considered, too, the situation of the inhabitants of the Cape, who had embarked their capital in the cultivation of the vine, on the faith of the encouragement they received from this country, in the year 1811;—when the House considered, also, that the Cape paid all its own expenditure, to the amount of 30,000*l.* or 40,000*l.*, while the whole patronage of the colony was in the hands of the Government here, and that it was treated as if it were a colony which did not pay, but was a heavy burthen to the mother country; when the House took these circumstances into consideration, it must admit, that the course now proposed by the noble Lord, with respect to Cape wines, was one of great injustice. He meant, therefore, to give his most strenuous opposition to this Bill.

Mr. *Herries* would take a future opportunity of fully expressing his opinions on this measure. But he begged leave to advert to one observation which had fallen from the noble Lord. The noble Lord had alluded to the conduct of Mr. Pitt with respect to the Methuen Treaty. But did Mr. Pitt abrogate that treaty? No; he entered into negotiations on the subject, and the treaty was confirmed. The noble Lord had argued the question, as though the Methuen Treaty was the only commercial and political engagement between this kingdom and that of Portugal. By other treaties, as well as by the Methuen Treaty, we had a preference in many things over others of the most favoured nations, and we possessed civil and municipal rights of our own, with Judges and Courts peculiar to the subjects of Great Britain, which were advantages enjoyed by no other people. And what had Portugal thrown to her as her share or equivalent in return? Nothing but the right to succour and protection, if Portugal should suffer from invasion or unjust aggression. How had we recently fulfilled that condition? But on the impolicy and inutility of our late proceedings with respect to France and to Portugal, in the present circumstances of those countries, he would take another opportunity of speaking. He could not, however, help designating this measure at this time, when our relations were so critical with both of these countries, as highly impolitic and dangerous.

Mr. *Poulett Thomson* said, he should confine himself to a single observation, in reply to the hon. Members who had assailed the measure of his noble friend. The state of things, it should be remarked, had materially varied of late years, in respect to the close and intimate intercourse between this country and Portugal. That country, even in Mr. Pitt's time, and in the period succeeding the Treaty of 1812, when Portugal was eminently indebted to this nation, for powerful exertions in her behalf, was found unwilling to observe strict faith in its stipulations, though Portugal had so many valid and solid reasons to be grateful and attached to Great Britain. But, since then, it had been found impossible to inspire Portugal with a sincere disposition to meet England fairly in negotiation, for a period now of nearly sixty years, and there could, therefore, be little indelicacy in this country now adopting a line of policy independent of the existing treaties. Indeed, Mr. Pitt had formerly intended to have done this, and pay the penalty defined and limited by treaty—namely, that our woollens should have no preference in the Portuguese market. The present Bill only adopted the principle of that great man, who was certainly eminently qualified to decide on an occasion like that which had since arisen.

Mr. *Stuart Wortley* said, that if he wanted a proof of the assertion which had of late been frequently made, that the business of the country was not properly discharged, he should find it in the manner in which the present proceeding was carried on. Here was a measure, involving the most important principles, involving our interest as a trading nation, and our national honour as a moral people, and yet see how it was managed. It was arranged that the second reading should be moved at ten o'clock, and when that time arrived, the benches were thin, and they had continued to be so, and little attention had been paid by the few Members present. For this he laid the blame on Ministers. The impression out of doors was, that there was very little chance of the business of the country being followed up, or transacted with any spirit or sagacity, whilst the whole time of the House, and the whole energy of the Ministry, were directed solely to one question, that of Reform. Under these circumstances, he should, like his immediate predecessors, be very brief, He felt himself in rather a difficult situation. A string of Resolutions had been proposed by the hon. member for Worcester, in hostility to the Bill. He, like that hon. Member, was opposed to the Bill; but, it was quite a different thing to be opposed to the Bill, and to support the hon. Member's Resolutions. To the substance of those Resolutions he strongly objected. With all deference to the hon. Gentleman by whom they had been proposed, he must say, that he had never seen any Resolutions, comprehending more misrepresentations, or so many allegations, not borne out by the facts. Whenever the discussion on the Bill should come forward, he would oppose the measure; but not on the grounds stated by the hon. member for Worcester.

Mr. *Hume* had never witnessed a measure brought into that House, upon commercial matters, which reflected greater disgrace on its authors, than that part of this Bill which seemed intended to carry distress and ruin on one of our finest colonies, the Cape of Good Hope. He felt most keenly the injustice Government was about to commit on these colonists, and when the proper time should arrive, he would take the earliest opportunity to submit a case, which was so demonstrative of the injustice of this measure, towards the colony, that it must expose the scandalous misconduct of the Ministry, to all who were not totally blind, or totally prejudiced. In his recollection, he had never witnessed the infliction on British subjects of such an iniquitous and heartless atrocity. Words failed him to characterise this monstrous and most atrocious violation of the public faith, and the faith of the Government of this country. He felt, the Committee on this measure would be a peculiarly fitting opportunity to make a stand against the present Government, for its total disregard of former solemn pledges, made by the Government of this country its colonies, and of all sound principles of colonial policy. The Bill should have his most unqualified and unmeasured opposition in the Committee.

Mr. *Burge* said, he should embrace the same opportunity to oppose, with all his might and capability, a Bill which he could not avoid characterising as a total departure from the true principles of colonial policy.

The Amendment negatived without a division, and the Bill read a second time.

HOUSE OF LORDS,

Tuesday, August 23, 1831.

MINUTES.] Bills. Received the Royal Assent, the Exchequer-bills (3,000,000*l.*); the Lord-lieutenants of Counties (Ireland), and thirty-seven private Bills. The LORD CHANCELLOR, the Archbishop of CANTERBURY, and the Marquis of LANSDOWN, were the King's Commissioners;—Read a second time. The Subletting Act Amendment (Ireland), Committed; the Tithes on Barren Land; the Poor Relief brought in by the Marquis of WESTMEATH, and read a first time, for the regulation of the Baking Trade (Ireland).

Petitions presented. By the Earl of ESSEX, from the Merchants and Inhabitants of Falmouth, for a revision of the Penal Code. By Lord WHARNCLIFFE, from the Spinners of Halifax, for the Establishment of some Regulations in the mode of employing Children in Manufactories.

LUNATICS.] Lord *Kenyon* moved, that the House resolve itself into a Committee on the Lunatics' Bill. This Bill had been under the consideration of a Committee up-stairs, where several Amendments upon the old Act had been suggested. As the gentlemen composing the late Commission, to which the management of the lunatics had been confided, and which had performed its duties in a most efficient manner, could not longer continue in that Commission, and at the same time properly discharge the other duties of their situation, particularly the very able Chairman, both of a public and private nature, the Committee proposed to introduce into the Commission certain individuals, whose avocations would not call them from the discharge of the duties of that office. It was found expedient, also, to make some change in the constitution of the Commission. Originally, the Commission was placed under the control of the Secretary of State for the Home Department; and although the duty had been as well done by the Secretary as it could be done by a person in that situation, it had been thought, for obvious reasons, that the control should be vested in the Lord Chancellor. There was another alteration which it was very material for the public to know, and that was, that the relations of the persons confined were not, by the present Bill, to be bound to visit them, as it was thought better that should be left to their own judgment and benevolent feelings, whether to visit them or not. There might be cases in which, for the sake of the patient himself, his relations should not visit him. Another alteration, of some public importance, was, that it was not now to be imperative that the names of those who visited the patients should be mentioned or taken down. It had been also thought advisable, that some medical men of high character should be members of the Committee. The noble Lord added, that in order to secure a proper attention on the part of those whose attention was most material, some remuneration should be allowed them.

The House then resolved itself into a Committee on the Bill.

The Marquis of *Lansdown* was ready to admit, that the suggestions of the noble Baron had great force, yet the admission of medical men upon Commissions of Lunacy was liable to many objections.

The Duke of *Cumberland* said, that if any provision of the nature hinted at by the noble Marquis was made, it would exclude Surgeons of the Army, who had experience in all sorts of disorders, and who were well acquainted with the proper treatment of mental maladies.

The *Lord Chancellor* thought, that the Bill effected a desirable improvement in bringing matters of lunacy more immediately than they were by the old law, under the superintendence of the Great Seal. He thought it most proper, that a near connection should subsist between the Lord Chancellor for the time and the Commissioners of Lunacy. He approved of many of the appointments in the Bill, as he conceived, that professional men were persons to whom matters of so confidential a nature as the administration of lunacy, might be more properly intrusted than to any other individuals. When he recollected how anxiously every family concealed the misfortune of a lunatic being in the family, and how important it was to the lunatic, in case of his recovery, that no indiscreet publicity had been given to his case, he felt how useful it would be to have the Committees composed of professional men, whose discretion and secresy might be fully depended on. He also approved of the suggestion of the illustrious Duke with regard to the eligibility of Military Surgeons, as he considered that many of them were persons of great knowledge and experience, and well suited in every respect to discharge important duties. He was content with this Bill, since Parliament had thought proper to legislate at all on the subject, though he was perhaps, of opinion that the safest way was to leave all those unhappy cases to the natural guardianship of the parties interested. As, however, both Houses of the Legislature agreed that some control should be exerted, he approved of the present Bill, which brought that superintendence immediately under the House and the Great Seal.

The Bill went through the Committee, and the House resumed.

EMPLOYMENT OF THE POOR.] Lord *Kenyon* proposed the second reading of a Bill, which had for its object the enabling parishes to provide employment for the labourers in agriculture. He hoped the House would allow the Bill to be read a second time, and to go to a Committee, where every explanation might be given of the different clauses.

The Duke of *Richmond* had no objection to allow the Bill to go to a Committee, but he wished to guard himself against the supposition that he approved of the whole Bill, as he considered there were objectionable clauses in it, particularly those which related to forming new parishes.

The Earl of *Orford* would not oppose the Bill, though he thought there were many obstacles to its final accomplishment. One part of it fixed a money rate of tithes, a principle which the House had decided against during the present Session.

Bill read a second time, and referred to a Committee up-stairs.

OVERSEERS OF THE POOR.] Lord *Teynham* moved the second reading of the Overseers of the Poor Bill. It was positively necessary that some alteration should be made in these laws. There had been many attempts to improve the Poor-laws established by the Act of Elizabeth, many of which were cruel, others were absurd, and all were ineffective, and had totally failed. He therefore considered some further measures necessary, and he proposed, after the Bill was read a second time, to refer it to a Committee.

The Duke of *Richmond* objected to the Bill for several reasons. He objected to the clause by which one Overseer was to be appointed for six months, and the other for the succeeding part of the year, and by which the one was to be bound to give friendly advice to the other. With regard to the accounts of Overseers, there was a Bill in progress in the other House, which effectually met the object which the noble Lord had in view; therefore, the clause was unnecessary in this Bill. He observed that the Bill provided, that all disputes between parishes respecting settlements, were to be decided by arbitration, and that lawyers and attornies were excluded from acting as arbitrators. He objected to this, as he thought it was unwise to exclude the only persons who could be supposed to be acquainted with all the legal difficulties attending a question of settlement. He also objected to the clause interdicting relief to the poor being given in flour or bread, because he thought, that when meal or bread was given, there was a probability that the pauper's family would receive the benefit of them, whereas, if money alone were paid, it was possible that the pauper would spend it at the alehouse, instead of bringing it home to his wife and children. He further could not consent to the clause by which all persons who received parish relief were interdicted from the power of creating a debt, as he thought it would be most unfair to deprive a man, because he was poor, of his character as a member of society. The same fault might also be found with the clause of exemption, wherein he observed officers, of the Army and Navy were not exempted from serving as Overseers, though other professional persons were. This he conceived to be very hard, and he did not know how the noble Lord would like to see any military friend of his compelled to act as an Overseer of the poor. Altogether, the Bill was hastily drawn up, and he recommended the noble Lord to withdraw it for further consideration.

Lord *Teynham* said, his only object was, to accomplish a certain good; but, as the House did not appear to approve of the Bill, he would withdraw it.

FRAUDULENT DEBTORS' BILL.] Lord Wynford moved the third reading of the Fraudulent Debtors' Bill.

Lord *Plunkett* moved, as an Amendment, that the Bill be read a third time this day six months. He need not go into any arguments on the subject, as the noble and learned Lord had not answered the arguments which he (Lord Plunkett) had, on a former occasion, brought forward against the Bill. The noble and learned Lord had contented himself, according to the report of some newspaper, with observing that the weakness of his (Lord Plunkett's) opposition confirmed him in the opinion that the measure was good.

Lord *Wynford* replied, that he had no opportunity of answering the noble and learned Lord on the occasion alluded to, as the noble and learned Chief Justice of the Court of King's Bench had requested that the third reading should be postponed, to give him an opportunity of examining and considering the Bill, which that noble and learned Lord had had no previous opportunity of doing, on account of his absence on the circuit. He hoped, therefore, that their Lordships would allow him to say a few words, for he did not mean to enter again at length into the argument. The noble and learned Chief Justice did not attend, and the fair inference was, that he was convinced that the measure was a good one. It was some time since he had heard the objections of the noble and learned Lord, and did not recollect, that he took any prominent exception to the Bill, except that it extended the Bankruptcy-law. But it was not a general extension of that law. It was merely its extension to a class of persons of a certain description; and the question which their Lordships had to decide was, whether the Bankrupt-law, should not be extended to cases, where persons had no other means of following out the effects of judgments recovered. In that respect the law of this country was in a worse state than in any other civilized nation on the globe. In this country the effect of judgments recovered could not in many cases of common occurrence be obtained, and there was no way to remedy the defect except by the extension of the principle of the Bankrupt-laws to such cases. It was impossible that the Bill should do any mischief. It did not extend the Bankrupt-law generally. It did not extend the principle of imprisonment for debt, but the contrary; for it went to compel prisoners who had property, to give up that property to pay their debts, and thereby to procure their discharge from prison. The Bill was in their Lordships' hands, and in whatever manner they thought proper to deal with it, he felt satisfied in having done his duty. If this evil was left unredressed, when so unobjectionable a measure for its removal was submitted to Parliament, he would never again boast of the laws of England. He might admit, that causes were well tried, and just judgments given, but to many of those judgments there were no means of giving effect. It was manifest that, in this particular, the industrious wanted protection. His noble and learned friend had said, on a former occasion, that persons, merely for going abroad for their amusement, or for their health, might by this Bill be made bankrupts. No such thing; but only if, after having gone abroad, they continued abroad in order to defeat the just claims of their creditors. It was only putting them in the situation of all merchants, even the most honourable; and then it was to apply only to persons going abroad with a knowledge of the existence of this law, and remaining abroad—not for health or amusement—but to defeat the just claims of their creditors—the fact that such was the purpose of their remaining abroad, being to be found by the verdict of a Jury before the law could have any application. He left the Bill with their Lordships.

The question was put, that the word "now" stand part of the question.—Motion negatived without a division.

THE BUSINESS OF THE HOUSE.] The *Lord Chancellor*, adverting to the order of the day for the further consideration of the report of the Bankruptcy Court Bill, which stood for Friday next, observed, that when he had fixed it for that day, he had calculated that by the evenings' sittings he should have been able to have got through the business of his court by that time, but he found that he had miscalculated as to its amount. He would beg leave, therefore, to postpone the Bill till Friday week. He had to apologize to their Lordships for his absence from their sittings, in consequence of the evening sittings in his court, but those sittings, he hoped their Lordships would admit, were for a purpose of great public convenience. He had a confident hope, that in another week he should have got through the whole of the business in his court. It might be convenient to their Lordships and to the public, to know, that after the business was despatched in his own court, he would then attend in the House, from day to day, until he had disposed of the arrears of appeals, and he hoped that in a fortnight he should be able to get through them all. Their Lordships then would have no appeals before them, except such as had been entered within the last three months; but if any of these should be ripe for decision when he had disposed of the others, he would be happy to give his assistance in disposing of those also, so that by the end of the Session—if it should ever have an end—the whole of the appeals would, he hoped, be disposed of.

The Earl of *Eldon* had no doubt that his noble and learned friend was most usefully employing his time in his court, but at the same time he must state, that according to the standing orders of their Lordships' House, the paramount duty of the Lord Chancellor was, to be in his place in that House during their Lordships' sittings, and not to be employed elsewhere; and there were many precedents where permission to attend elsewhere during the sittings of that House, was refused. He had no doubt, whatever, that his noble and learned friend was most usefully employed elsewhere, but he had no power to dispense with the standing orders, which required his attendance during the sittings here. With respect to the Bankruptcy Court Bill, he hoped that his noble and learned friend would consent to postpone it till some period after the time of adjournment for the Coronation. He made this request as a matter of personal convenience to himself, for in waiting for this Bill he was unable to take that change of air which had been declared necessary for his health, but, at the same time, he was ready to attend on any day which his noble friend might fix for bringing on the Bill.

The *Lord Chancellor* hoped his noble and learned friend would do him the justice to believe, that no man was more ready than he was to adopt any arrangement which might tend to his noble friend's personal convenience. He would, therefore, put off the Bill to Friday fortnight, or to any other day which might be more convenient to his noble and learned friend. His noble friend had mentioned till after the adjournment for the Coronation, but he (the Lord Chancellor) understood that there would be no Motion for an adjournment, beyond an adjournment over the day of the Coronation itself. As to what had been said by his noble and learned friend, of the attendance of the Lord Chancellor during the sittings of the House, he fully admitted that such attendance was a paramount duty, and therefore he had mentioned the urgency of the case which required his attendance elsewhere, in order that their Lordships might dispense with the standing order which required his attendance. He repeated, however, his confident hope, that the business of his court would detain him only a few days more, and he should then be wholly at their Lordships' disposal.

HOUSE OF COMMONS,

Tuesday, August 23, 1831.

MINUTES.] Bills. Brought in by Mr. JOHN CAMPBELL, for the Amendment of the Law of Inheritance; for the Amendment of the Law relating to Dower; for the Limitation of Actions and Suits relating to Real Property; and for the Amendment of the Law relating to the Estate of a Tenant by Courtesy.

Petitions presented. By Mr. BAINBRIDGE, from the Poor Voters of Taunton, praying for the continuation of the Elective Franchise. By Mr. WYSE, from the Catholic Inhabitants of Kilcash, Gammonsfield, Kells and Thurles, against any further Grant to the Kildare Street Society; and from the Catholic Clergy of the Diocese of Kilmacdough, praying for an equal participation in the Elective Franchise, Galway. By Mr. O'CONNELL, from the Governors and Trustees of many Catholic Orphan Societies; and from the Catholic Clergy and Inhabitants of Killymard, against any further Grant to the Kildare Street Society; and from the Inhabitants of St. Mary, and St. James Dublin, against the Repeal of the Union. By Mr. KEITH DOUGLAS, from the Corporation of Kirkcudbright, praying to be joined to the Galloway Burghs to return a Member to Parliament.

QUARANTINE FEES.] Mr. Alderman *Thompson* presented a Petition from the ship-owners of London, complaining of the Quarantine Fees paid by ships, which, in some cases, amounted to 5*l.* 14*s.* 6*d.* each, which was a heavy tax upon the ship-owners. They otherwise suffered heavy losses by the detention of their ships, being obliged to pay the wages of the masters and crew, and the delay frequently prevented a second voyage to the Baltic, so that the ship earned only two-thirds of what she ought to do. A few years since, a law had been passed to relieve the shipping from many heavy imposts, and probably, at that time, the fee now complained of escaped observation. The number of vessels which arrived from the Baltic amounted to above 2,000, and the whole sum which would be drawn from the pockets of the shipowners would in this year amount to nearly 16,000*l.* Every one acquainted with the subject complained loudly of these fees, which, if paid at all, should be paid by the public, for whose benefit the quarantine laws were intended.

Mr. Alderman *Copeland* said, that he heartily concurred in the prayer of the petition. It was high time that some alteration should take place in the payment of quarantine fees. He had no doubt that the quarantine laws were necessary for the safety of the public; but then the public, and not individuals, should be made to pay for the general security of all. Some change was necessary, and should be effected without delay.

Mr. *Hume* said, he felt bound to support this petition, as he had one himself to present of a similar description from Dundee. He regretted, that this petition had been presented when none of his Majesty's Ministers were in the House, as these observations might not reach them. The whole of the quarantine system required alteration, and certainly no part of it more immediately than the fees. He had heard an instance of a small vessel having been placed in quarantine, and the fee to which it became liable thereby, amounted to nearly one-third of the freight.

Mr. *George Robinson* said, that the quarantine was intended for the benefit of the public, and the public should pay the expense rather than the ship-owners, who were already very heavily taxed. He regretted, that the petition had been presented in the absence of any member of his Majesty's Government.

Mr. Alderman *Thompson* said, he did all he could to bring this petition forward on Friday last, during the presence of Ministers, but discussions had taken place upon the presentation of other petitions, which precluded him from having an opportunity. He concluded by moving for papers to shew to whom the fee of 5*l.* 14*s.* 6*d.* was paid, and for what purpose. He would further give notice of his intention to propose a Resolution on Thursday next, declaring that that fee should be abolished.

STATIONERY OFFICE.] Mr. Alderman *Thompson* presented a Petition from John Williams, of Cornhill, praying for the Abolition of the Stationery Office. He felt it his duty to present the petition, but he could not concur in its prayer.

Mr. *Hume* said, the Government had done as much as could be expected, and had already saved the country 20,000*l.* a-year upon an expenditure of 130,000*l.* in the Stationery Office. If, however, any abuses still prevailed, and were pointed out, he had no doubt the Committee who investigated this subject would do their duty.

The petition laid upon the Table.

RELIGIOUS PROSECUTIONS—CASE OF MR. TAYLOR.] Mr. *O'Connell* presented a petition from certain inhabitants of Nottingham, complaining of the prosecution of the rev. Robert Taylor, and praying for his discharge. No man, said the hon. Member, should be persecuted for holding certain opinions, as long as he did no injury and offended no prejudices by propagating them in a coarse and improper manner. Taylor was a miscreant, and if the Government wished to take away the power of doing mischief from him, they would order his liberation from gaol, and consign him to his proper insignificance.

Mr. *Hume* said, that in his opinion, every man had the right of free discussion, although he was directly opposed to Mr. Taylor as to his doctrines. But while he said so, he did not think his learned friend right in calling Taylor a miscreant. He might be a deceived or a deluded man, and should not be persecuted as he had been.

Mr. *O'Connell* considered that Taylor was, in every sense of the word, a miscreant, because he received money, not to establish his own opinions, but to insult and contemn those of others.

The petition laid on the Table.

On the Motion that it be printed,

Mr. *Hunt* said, he heard a great deal more of Mr. Taylor in that House, than he did any where else, and was surprised that the learned Member (Mr. O'Connell) should have called Taylor a miscreant while presenting a petition in his favour. The humanity of the learned Member was strange. It was like saying of a perfectly healthy animal, there goes a mad dog, and calling on people to shoot it because it was mad.

EDUCATION (IRELAND).] Mr. *Wyse* presented petitions against any further grant to the Kildare Street Society, and praying that the House would take measures for establishing a general and national system of education in Ireland. Some of these petitions represented, that schools had been founded in Ireland by Catholics, at which children were educated without distinction of sect. He had examined some of these schools, and found them attended by a large portion of the population, and that they had diffused a degree of morality in the neighbourhoods where they had been established, which he should like to see prevail in Ireland generally. Besides schools for the education of the lower classes, there had lately been founded a large college, capable of maintaining and educating at least 500 students. The erection of this college cost 12,000*l*., every farthing of which was contributed by the Catholic clergy, who had repeatedly declared themselves willing to vest in the hands of Protestant as well as Catholic trustees, the management of colleges of this description, for the education of the middle classes, which, if possible had been more neglected than that of the lower classes. The education of the middle classes was a matter of great importance, because they had the power of influencing the lower classes. At this college the students were instructed in mathematics, engineering, and other branches of science, in addition to the usual course of education. It would be for the House to consider whether it would be expedient to establish similar colleges in other parts of the country. If Ireland were backward in the race of intellect, it was from education not having received encouragement. Give it that encouragement, and remove the causes of internal discord which had been nurtured in Ireland under successive governments, and she would take her place by the side of other countries. A good example had been set by a depressed sect. Into this Catholic college Protestants as well as Catholics were admitted. He hoped that Government would adopt this example, and that similar colleges would start up in every part of Ireland. The Government could not be ignorant of the advantages which had accrued from the academic institution of Belfast. When that institution was founded, there was scarcely a mathematical student in the neighbourhood, now there were more than 180, and the effect upon the middle classes, in Belfast and its neighbourhood, had been most important and beneficial. Such having been the result of the establishment of this institution in the north, it was but fair to suppose, that a similar one would be experienced from the adoption of the plan in the South.

Petitions to lie on the Table.

Mr. *O'Connell* presented a petition from the Catholic Bishops of Ireland, praying that the grants for education should be equally distributed in the education of the Catholic and Protestant poor of Ireland. They complained of the Kildare Street Society, whose system of education the petitioners considered as leading to strife, ill-will, persecution, and proselytism. The petitioners were most respectable, most irreproachable persons; and their evidence was well worth the attentive consideration of this House and the Government.

Mr. *Lefroy* said, he must deny the charge of proselytism contained in the petition against the Kildare Street Society, for it was decidedly unfounded. He would not take the evidence of these Bishops against the testimony on oath which had been adduced before the Commissioners for Education. He denied that the Kildare Street Society led to strife or persecution; and if the Catholic population of Ireland were not educated by that Society, they had to lay the charge against the Catholic Bishops and their clergy. The witnesses appealed to by the learned Member had a direct interest in the petition, for their object was, to obtain possession of the funds by which the Protestant poor of Ireland were now educated. He was a member of the Kildare Street Society—he fully appreciated its benefits; and if the Catholic poor had not profitted by them, the fault was not with the Society, who allowed them their own Bible and their own teachers.

Mr. *Sheil* supported the prayer of the petition, having been requested to do so, and knowing the great respectability of the petitioners, he readily acquiesced in their wishes. The hon. Member (Mr. Lefroy) stated, that he was a member of the Kildare Street Society, and that the petitioners had for their motive the desire of getting some of the funds into their own hands. But was it not likely that the hon. Gentleman was as much influenced in his opposition to the petition by the organ of retention, as the Bishops were by the organ of acquisitiveness. The hon. Gentleman seemed to imagine that we should still have prevailing in Ireland,

> "The good old rule, the simple plan,
> That those should take who have the power,
> And those should keep who can."

And accordingly, the hon. Gentleman endeavoured to keep what he could of this grant. With respect to the question of evidence on the Kildare Street Society, he would refer to that of three Protestant Bishops to be found in the Report of the Committee of Education in 1812, by which it would be seen, that they declared the Kildare Street Society unfit for the purposes for which it was intended. As the subject, however, of the grant to the Kildare Street Society would come before the House in a few days, he would not then make any further observations.

Mr. *O'Connell* said, the observations of the hon. Gentleman (Mr. Lefroy) went to give the lie direct to the Catholic Bishops. No man who knew the worth and intelligence of the petitioners, could fairly impugn their statement as to the evil effects of the Kildare Street Society.

Mr. *Lefroy* denied, that he ever was, or could be guilty of giving the lie to any respectable persons, particularly when they could not, from their peculiar station, be able to call for that explanation which was seldom refused amongst Gentlemen.

Petition to be printed.

GREAT GRIMSBY ELECTION.] Sir George Clerk moved the Order of the Day for the attendance at the Bar of the Mayor and Town Clerk of Great Grimsby.

The Town Clerk immediately appeared at the Bar, and, in answer to questions put to him by the Speaker, he said—"My name is George Babb. I am Town-Clerk of Great Grimsby. At the termination of the last election, the indenture was intrusted to my hands by the Mayor, who is the returning officer. I received the indenture as soon as the election was over—that is, about seven o'clock in the evening of Wednesday, the 10th of August, when the election closed. In consequence of pressure of business, which had accumulated very much, and a severe domestic affliction, I forgot to forward the indenture of the Sheriff immediately. But I do hope and trust, that it will not be supposed that I intended wilfully or intentionally to delay the return. I would appeal to the hon. members for Grimsby themselves, whether, from the whole of my conduct, they would impute to me anything more than a certain degree of negligence in this business. I really thought that I had given orders to my Clerk about the indenture; but I found on the Sunday, on looking over my papers, which were contained in a drawer, that the writ was unreturned. I immediately sent it to my clerk, with directions to forward it to the Under-Sheriff, with a letter. On the Monday morning, at half-past six, I was called up by my Clerk, who told me that he had found great difficulty in getting a person to go with the indenture; but that he had at length succeeded, and that he had immediately sent the messenger. I sent the indenture to the Under-Sheriff on the Monday. I believe he was not at home when it arrived. In my letter I requested him to forward it to the proper quarter. I know from the date of his answer that he received it on the Monday. I have been Town Clerk since the year 1824. I have been Town Clerk at former elections. Other returning officers, at former elections, took the same course that was taken here. They thought me, as the officer of the Corporation, the most proper person to send the indenture of election to. Previous to this last return, the indenture was completed on the Monday, and sent to the Under-Sheriff on the Thursday. That was a general election. I do not know what the course has been when Members were elected in consequence of vacancies occurring, and not on account of a general election. I have never before known an instance of that kind."

By Sir George Clerk—"I had no conversation with the Solicitor of the sitting Members, on the eve of the election, as to the return. I had no conversation whatever with any party after making the return. Mr. Acton never made any inquiry of me as to when the return should be made. He did not speak to me on the subject. The only conversation I had with him was when he came up to tender his vote.

"Was the messenger on horseback, or by what conveyance did he go from Grimsby to Lincoln?—My Clerk told me he set out on foot; but I concluded, that he took to the coach or mail on the road.

"What time were the Members chaired after the election?—I did not see them chaired; but I think, to the best of my recollection, that it was about eight o'clock in the evening.

"Do you know the reason for their having been chaired at so late an hour?—None, to my knowledge.

"Was there not a posting-bill exhibited next day, stating that the Members could not return thanks to the electors, because they wished to hasten to London to take their places?—I do not know. The accumulation of business prevented me from attending much to what was going forward. The mail from Grimsby leaves at a quarter past eight in the morning. Finding, on the Sunday evening, that I had mislaid or overlooked the indenture, I gave directions to my Clerk to send it off as soon as possible. The mail from Grimsby is not direct. It is a cross mail, and I knew that parcels sent by it were sometimes delayed. I therefore took the course I have described." The witness, in reply to further questions, said, he took an active part in the election, voted against the sitting Members, was an agent at the former election, but was not concerned for any of the parties at the late election. Did not conceive that he had been guilty of any neglect of duty in forwarding the returns. First heard on Wednesday that the matter had been adverted to in that House. It was the Wednesday next following the Sunday to which he had already adverted.

The witness was then ordered to withdraw.

Sir George Clerk then moved, that Mr. Acton should be called in to give evidence relative to the conversation he was alleged to have held with the Town Clerk.

The motion was agreed to, and John Acton being brought to the Bar, and being examined by Sir George Clerk, said, he lived in London; attended the late election for Grimsby; had a conversation with the Town Clerk relative to the return; asked if it had been sealed, to which the Town Clerk answered that it had, and would be sent off next day. This took place about eight o'clock. The Members were chaired about a quarter of an hour after the election closed. The conversation which he had with the Town Clerk, took place after the proclamation.

Mr. O'Connell having interrogated the witness, he said, that he never heard anything about the necessity of sealing the return. Was present when the last witness was examined; was below the Bar; there was great noise in the hall at the time the conversation occurred; had some communication with Lord Loughborough and the hon. Baronet with reference to this subject.

The witness was then ordered to withdraw.

Sir *George Clerk* said, that he was of opinion, that from the confusion which prevailed in the Court when this conversation took place, it was very probable that the Town Clerk might have either mistaken its import, or not have heard it at all; he, however, thought it rather extraordinary that he should have delayed so long before he made the return. Allusion had been made to the neglect of the messenger who had been employed, and to other persons; but that House knew no other person in the transaction than the returning officer, with whom the responsibility should rest. That person, however, did not appear to be influenced by any corrupt motives, and the neglect must, in his view of the case, have arisen from inadvertence. To prevent the recurrence of such omissions upon any similar occasion in future, he was at first disposed to move that the Mayor of Grimsby should be admonished for his neglect. He had, however, now resolved to relinquish that intention, and as he was satisfied that what had taken place would prevent future errors, he would take no further notice of the matter.

Lord *Loughborough* said, that he could not see anything criminal in the conduct of the returning officer. He thought him free from blame; neither was he disposed to find fault with the Town Clerk, whose omission appeared to have arisen from misapprehension. He thought what had already taken place would be a sufficient warning for the future.

Lord *Althorp* said, he did not think the case of a nature to call for the particular reprobation of the House. The returning officer should have known, that it was his bounden duty to attend himself to the return. Under all the circumstances, however, he thought it would be harsh to admonish that person at the Bar of the House. He would not recommend the House to proceed any further in the case, and would move, that the parties be discharged from their attendance.

The parties were then discharged.

DUBLIN (CITY) ELECTION PETITION.] Mr. Robert Gordon having been called upon by the Speaker, was about to address the House, when

Mr. *Evelyn Denison* rose, and apologized for interposing for a moment between the hon. Member and the House. The object of his rising was, to beg the hon. Member (Mr. Gordon) not to press his motion. The case he was about to bring before the House was certainly one of great importance; but its importance was a matter of degree. It could not be put in comparison, as to its importance, with other cases; for instance, with the question of Reform. There were other questions pending, too, which more urgently demanded attention—questions in which the interests and feelings of the whole world were involved. A great financial measure was introduced last night; but from the late hour at which the discussion of a petition, relative to two individuals, concluded, the discussion on that great measure was virtually postponed. The business of the country was quite at a stand. The state of the West-India interest, the question as to the sugar duties, the wine duties, and many other political and financial measures, were hanging up in suspense, to the great detriment of all the interests of the country. Under these considerations he ventured to request the hon. member for Cricklade (Mr. Robert Gordon) not to occupy the House this evening on the case of the Dublin election, when the time that must inevitably be occupied in that discussion might be applied to setting at rest some of those great questions, on which not only the feelings of the country, but its prosperity, so much depended.

Mr. *Robert Gordon* said, he could not conceive any measure of greater importance than one which had reference to the privileges of that House. He thought he had already postponed it too long. He could not consent to defer it any longer, and in making that declaration he felt it necessary to say, that he considered it a duty which he owed to those with whom he had communicated on the subject, to bring the question forward without any further delay. He should therefore bring it on, notwithstanding the urgency of the question which was to be brought under consideration that night. He felt the delicacy of the position in which he was placed in adverting to the circumstances of this case: it was always a matter of great difficulty to deal with a question of delinquency. In the observations, however, which he should consider it his duty to address to the House upon the subject, he would most anxiously avoid stating anything which would not be fully borne out by the evidence which had been given before the Committee; and he felt that course the more necessary on this occasion, as the question must, in some measure, assume a judicial character. The charges which he should prefer against the parties in this case, he would divide into two classes; one of bribery and corruption, the other of undue influence. Before, however, he should bring forward the principal characters who had performed in this election drama, he thought it but right to say, that the parties concerned were greatly benefitted by the very able and ingenious advocacy of Mr. O'Loghlin, when they were examined before the Committee; for he contrived to puzzle the witnesses so completely, between Committee-rooms and Tally-rooms (the locality of which it was very difficult to discover), that it would be an ingenious person who could discover who were most bewildered—the Committee or the witnesses. Mr. Hudson appeared to be the chief agent in the distribution of bribes. Mr. Jones also had some share in these transactions; it did not appear, however, that he gave more than 20*l.* The great purse-bearers did not appear—they were not known. He hoped, however, that there would be no more bribery when the great measure of Reform should be carried. He would next call their attention to the receivers of the bribes: they were divided into two classes—the freemen and the freeholders. Between these classes there had always existed considerable jealousy; but both parties were equally open to the soft persuasion of the election principles. In referring to these parties he would give the precedence to the freemen. To induce these voters to come to the poll, different persons were appointed to canvass the several guilds; among these, a person of the name of Gallagher was very active; it appeared he was Clerk to the Corporation of Joiners; this man was introduced to a Counsellor Hudson, to whom he showed a list of persons whom he stated he could influence. He exhibited a list of these persons, and was paid for that list. Previous to commencing his canvass among the freemen, it was thought advisable that he should himself vote, and he did accordingly vote for Perrin and Harty on the Monday following. In these transactions Mr. Hudson appeared to be the purse-holder. Gallagher met a man of the name of Brice, whom he induced to vote, and paid him 4*l.*; to others he paid 5*l.* On another occasion he gave 7*l.* to a person named Edwards, to vote for the Reform candidates, This man was at work at the Phœnix Park, but being a voter, he was brought to Dublin. This man scorned to sell his principles for 4*l.*, and accordingly obtained 7*l.*; but when he was brought near the hustings, he declared that he was bilious, or nervous, or both, and did not dare to face Alderman Perrin at the poll, without an escort. No other escort could overcome his fears but the son of the Lord Chancellor; and Mr. Plunkett was sent for from the Committee-room, and went with Edwards to give his vote. The reason he assigned was, that if he met Mr. Alderman Perrin, he would not be accountable for the vote he should give. Mr. Perrin was one of the Committee of the other candidates, and a terror to the rats; but under the protection of Mr. Plunkett, this man was shielded from violence. The next important distributor of bribes was Mr. Kirtland, regarding whose proceedings a Mr. Charman was an important witness, who, though in London, was not produced. A person of the name of Robinson was applied to to vote for the Reform candidates. Now, Mr. Robinson had always been a stanch Protestant, and would not give up his principles or his prejudices for 5*l.* However, his virtue was not impregnable, and such were the persuasive powers of Mr. Kirtland, that he actually seduced Robinson for 5*l.* The display of the five sovereigns was irresistible; and taking them into his hand, his Protestantism oozed out at the palm. Mr. Robinson's public virtue evaporated, and he became a Reformer. He applauded steady Reformers, for he was one; but he was not very fond of the rats of Reform—of those who ran out of a house because it was falling, and became Reformers because it was popular. There were several other witnesses to important facts: one of them was a Mr. O'Connor. He seemed to have been a very doubtful personage—he was occasionally for one party, and occasionally for another; and at last, being looked upon by both as a spy, he got most thoroughly thumped. Having thus done with the freemen, he would not give the freeholders reason to complain that they were forgotten. The House would recollect, that when the bill for the emancipation of the Catholics passed, it was accompanied by another, by which the 40*s.* freeholders were disfranchised; that did not, however, extend to cities: it was thought advisable, on that occasion, to retain that class of voters in towns, as a counterpoise to the influence of the corporations. He should not assert anything with reference to these men which would not be found in the evidence. Of these voters, John Grantham voted by a right of a piece of land, which he represented not to be larger than the room in which he gave his evidence: he held this land for about five or six years, and was to receive 2*l.* 5*s.* per annum for this land, which was paid him in one sum at the election, being the rent for five years; this he denominated having the hold in his hand. Mr. Berwick, Mr. Grattan's agent, was his tenant; he received 10*l.*, and returned 7*l.* 15*s.*; there were several other voters of the same description, whose preference for the different candidates was decided by their readiness to pay their rent. There were half a dozen more witnesses to the same facts, but Mr. Farrell and Mr. Mills would be sufficient. He had already mentioned the Messrs. Hicks (brothers)—Mr. John Hicks and Mr. Wingfield Hicks. Mr. John Hicks had distributed about 80*l.* or 90*l.* in various sums to voters, and Mr. Wingfield Hicks had been employed in a similar manner, having paid at the rate of about 2*l.* 10*s.* to each freeholder. He was anxious to take this opportunity of observing, that the Report only stated, that the two sitting Members had been guilty of bribery by their agents, but not by themselves, and the Resolutions with which he should conclude, would, therefore, be framed in accordance with the report. They had done wrong, and had already paid the penalty of their transgression. He had done with the first part of the question; but this he would say, that he never contemplated such instances of bribery with any other feeling than that of disgust. He had been for twenty years a Member of that House, and had always opposed every species of jobbing. That system was, however, shortly to be put an end to. The noble Lord declared, that he would not govern the country by patronage, and had given the best proof of his sincerity by introducing the Reform Bill. It had been insinuated, that he should impede the progress of that measure by bringing forward his motion; but he was well convinced that the people of England would laugh them to scorn if (when there were various changes of trivial importance suggested in that Bill, night after night) they should suffer a case of such egregious bribery and corruption to pass unnoticed. He was disposed to accelerate the progress of that measure; but that feeling should not prevent him from endeavouring to enable those who enjoyed the elective franchise, to exercise their privileges without being prejudiced by corrupt practices. It might be said, that by bringing forward this question he impeded Reform. He was satisfied that it would advance it. Bribery (to parody a celebrated passage),

> "Is twice cursed:
> It curses him that gives and him that takes;"

and, as far as his knowledge went, and he believed there were many present who could bear him out in his opinion, in some way or other bribes never did good to the receivers—the money was never profitable. He was proud to say, that Cricklade had set the example of Reform; and if the same course had been pursued with regard to other boroughs—if an *arrondissement* had been formed round those places against which corruption had been proved, there would have been much less difficulty in passing the Reform Bill. Reverting to the bribery of freeholders, he might remind the House, that Cold-blow-lane, which only contained two acres and a half, produced no less than 252 40*s.* voters. Before he proceeded to the next part of his subject, he would read to the House the resolution which he proposed to submit, relative to the part of the case which he had now gone through. He should submit a resolution to this effect, "That it appears in evidence before the Select Committee appointed to try and determine the merits of the petition of James Scarlett, David M'Cleary, and others, severally complaining of an undue election and return for the city of Dublin, that a practice of creating fictitious freeholds has been carried on to a great extent in the city and county of Dublin; that such practice has been supported, particularly at the late election, by perjury; that such practice is against the purity of election, and a direct infraction of the law; and that it is the duty of the law-officers of the Crown to take immediate measures for the punishment of those who have participated in such illegal practice." He now came to the other part of his subject, which regarded the undue influence that had been exercised at the late election for the city of Dublin. He must first, however, request that the Clerk would read the resolutions to which the House had come on the 10th of November, 1779, and on the 10th of November, 1807. [The clerk read the Resolutions as follows: "That it should be considered highly criminal for any Minister, or servant of the Crown, either directly or indirectly, to use the power of his office to influence the voters at elections."]* He trusted that his Majesty's Ministers would not act upon the example set by Lord Castlereagh and Mr. Perceval, when the charge was brought against them respecting the threat to expel Mr. Dick from his office. On that occasion, although they (Lord Castlereagh and Mr. Perceval) had themselves, two years before, supported the charges against Mr. Freemantle, for improper use of his influence as Secretary to the Treasury, yet they obtained a Resolution of the House upon their own conduct, to the effect, that "while it was the bounden duty of that House to maintain at all times a jealous guard upon its purity, and not to suffer any attempt upon its privileges to pass unnoticed, the attempt in the present instance (that of Lord Castlereagh and Mr. Riding, with the cognizance of Mr. Perceval) not having been carried into effect, that House did not think it necessary to proceed to criminating proceedings respecting the same." He would now come to the charge of the petitioners respecting the undue influence exercised by official persons in the Dublin election. He confessed, that he thought this part of the subject—the undue influence—the less important of the two; for there was no moral guilt in it, and he did not think it near so injurious to the purity of election as bribery, to which, moreover, all must admit that moral as well as legal guilt did attach. He considered, therefore, the bribery part of the case to be of paramount importance. With regard to the undue influence, the Committee found themselves placed in rather an awkward position. The Committee were sworn to report upon the matter of the petition, and the petition not only complained of undue influence, but the leading counsel scarcely spoke of any thing else in his opening speech, having no notion, it was clear, that the bribery case would come out so strong. Under these circumstances, the Committee felt, that they had no option, and that they must report with regard to the undue influence. The difficulty which the Committee felt, resulted from the fact, that no Committee appointed under the Grenville Act had ever before reported respecting undue influence. The principal actors in the exercise of this undue influence were Captain Hart and Baron Twyll, Private Secretary to the Lord Lieutenant. As to the first witness, Bazeggio, a Swiss hair-dresser residing in Dublin, and holding by purchase the office of Captain of the Battle-axe Guard, he (Mr. Gordon) was sure that this man was deceived. He was sure that some gentlemen from the Castle were quizzing him when they told him that he should lose his place in consequence of a speech which he delivered at a meeting of the Guild of Barbers. He was the orator of that Guild, and it was impossible to resist laughter at his description of the speech. It could not be supposed for a moment that the menace which he supposed was conveyed to him, was authorised by the Lord Lieutenant. Besides, he had purchased his office, and it was a circumstance worthy the attention of the House, that the salary was 400*l.* a year. It seemed to him to be a reasonable subject of inquiry, to ascertain what services that officer was called on to perform for so high a stipend. Captain Hart was acting Comptroller of the household of the Lord Lieutenant. It might, indeed, be said, as he believed was true, that Captain Hart was not appointed to that office until June, while the acts complained of took place before. It was known, however, that Captain Hart was to be Comptroller, and that gentleman, therefore, had quite as much influence as if he had really been appointed. He made this observation on account of what had been said of that unhappy resolution of the Committee—that certain individuals holding official situations in Ireland, or "considered to be connected with the Irish Government," did, at the last election for the city of Dublin, use undue influence. When that resolution was read, every body said, "Can any thing be more vague than this? Considered to be connected with the Irish Government! Did ever any Committee report so before?" If, however, hon. Members would take the trouble to read the evidence, they would find, that the Committee were perfectly justified in so wording their report. He ought also to add, that the Committee felt some doubt as to whether Baron Twyll was a person holding an official situation. Baron Twyll, however, was paid by the public. He would now proceed to call the attention of the House to the conduct of these two principals in the exercise of the undue influence complained of. Captain Hart, it appeared, had applied to the tradesmen of the Castle, and if Captain Hart had confined his solicitations to this class of persons, he (Mr. Gordon) must say, that he should be very unwilling to bring Captain Hart's conduct before the House. A person in the situation of Lord Lieutenant of Ireland must necessarily have a certain degree of influence over the tradesmen he employed. He believed it was well known, that in the city of London the circumstance of a person filling the office of Lord Mayor at the time of an election would command him as many as 1,000 votes. He must, however, say, that at the late election in Dublin, this influence was exercised in the most clumsy way possible. Captain Hart proceeded to Mr. Long, who was a most important witness before the Committee. Mr. Long's evidence was this:—"Captain Hart said he came to me on the subject of the election: he wished to speak to me respecting it. I asked him what he had to say? He said, that he had been directed to come to me by the Lord Lieutenant, and that his Excellency had directed him to request my vote for the Reform candidates at the election. I asked, if I was to understand that he came to me officially, and he said I was: I said I was sorry I could not comply with the request, inasmuch as I was very much interested for a particular friend of mine, who was one of the candidates, Mr. Shaw: he said, that he was sorry that I was not able to do as required, inasmuch as, if I did not, he had to be the bearer of a disagreeable message, and he would rather be the bearer of an agreeable than a disagreeable one; he said, that he was ordered to tell me, that if I did not vote as he required, I should be discontinued coachmaker to his Excellency. I said I was sorry for it. I asked him if I was to understand that I was thenceforward to be discontinued? He said, yes, I was, and he took his departure, first having stated, that it was not to me alone he was to go, but to go to all the tradespeople; and he showed me a list, which I did not read. He said it was a list of the tradespeople he was to call on, according to orders." Mr. Long further said, "I was dismissed from the time of Captain Hart's interview: that was previous to my voting." After this, Mr. Long was sent for by Sir John Byng, who appeared to have acted, as every body who knew Sir John Byng would have expected him to act, with great propriety. Sir John Byng appeared in the character of a peacemaker, declared his conviction that Captain Hart had mistaken his instructions, and said, that he would speak to the Lord Lieutenant upon the subject. "I was grateful," said Mr. Long, "and asked to be allowed to call again the following day. Sir John said, he had seen Lord Anglesey on the subject; he was glad to tell me that Captain Hart had exceeded his instructions, and he said, Lord Anglesey, fearing he might have been misunderstood in the directions he gave, took the precaution of making a memorandum of the orders he had issued at the time of giving those orders; and he said, 'to show you that these orders were exceeded, he has given me a memorandum to show you,' and he handed me a paper. I read that paper twice." Now, he was sure that the Lord Lieutenant had given this paper with the most proper views, and nothing could be more open and candid than such a mode of proceeding. Sir John Byng said, on being asked before the Committee, "Can you say if there was any threat in it (the paper)?"—"As safely as a man can say, I think certainly not, for it was given me for another purpose: it was given to me to do away with any idea of a threat. That I can speak to as his intention of giving it me, and of my showing it to whomsoever I did. Whether I showed it to any other person than Mr. Long, I do not know." In another part of his evidence, Sir John Byng said, "If there had been any thing like a threat in it, I would not have taken the paper." Now, as this paper was lost, they could only proceed upon such evidence as they had been able to procure with regard to the contents of it. The difference that existed with regard to it was the difference between the word "requests" and the word "expects;" it being disputed whether the words of it were "Lord Anglesey requests," or, "Lord Anglesey expects, that the several persons employed by him will vote," &c. But then Mr. Long said further, in his evidence, "In consequence of what occurred subsequently with Sir John Byng, I went to Captain Hart the next day, and said to him, 'I understand you have mistaken your instructions, and that I am not dismissed?' He said his recollection of his instructions was exactly as he communicated, and he had received no orders to re-instate me."—"Have you ever been re-instated?"—"No, never. He said, he was positive he had communicated to me the orders he had received." Henry Kempston, the glover, gave similar evidence to that of Mr. Long, with regard to the interference of Captain Hart. He would say no more about the tradesmen, but pass on to the transaction of Baron Twyll, and the two Police Magistrates. The story of Mr. Tyndal, one of these

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* Hansard's Parl. Hist., vol. xx, p. 1271.

Magistrates, must, he thought, have made a deep impression upon all who had read it. Mr. Tyndal's evidence was this:—"Baron Twyll said, that he sent for me to speak to me on the subject of the city of Dublin election; that it was expected, that gentlemen holding official situations under Government should vote for the Reform candidates. I said to Baron Twyll, that it was my anxious desire to obey any wishes or commands of the Government, but that I would beg to state to him the very embarrassing situation in which I was placed with respect to the Dublin election. I stated to him, that I had been recently elected to the situation I held, by the Corporation of Dublin; that they had given a very decided opinion upon the subject of the election. I stated to him, that Mr. Shaw, the Recorder, was a candidate, that he was my relative, and the dearest friend I had; that Sir Robert Shaw, the Recorder's father, was my early friend; that I had served the office of Sheriff with him; that he had brought me forward in the Corporation, and had assisted me to get the situation I then held; that my intention was, to have remained neuter at this election, not to have voted at all, and that I would respectfully request him to lay a statement of my case before his Excellency, the Lord Lieutenant, and I hoped I should be permitted to remain neuter, and not vote at all on the election. Baron Twyll said, he could not make that application, for that, if my request were acceded to, gentlemen similarly circumstanced might expect the same indulgence to be afforded to them." Now he must say, that he thought this a very hard and a very cruel case. Alderman Studdart appeared to have taken a higher tone than Mr. Tyndal, and to have observed, that he had been appointed by the Corporation, and not by the Government; but to this it was answered—"Yes, but you are paid by the Government." These two gentlemen had declared, that if they had not been forced to vote otherwise, they should have voted for the anti-Reform candidates. He thought it right, however, to state, that neither of these gentlemen believed, that the Lord Lieutenant would put into force those threats which were made to them; but still they voted under the influence of those threats, one of them declaring, that, although he did not believe the threats would be executed, yet he was too poor to run the risk; and the other, expressing the like disbelief, said, however, that he did not like to make the experiment. For his own part, he was quite sure that the Lord Lieutenant would not have executed the threats that were held out, and that these gentlemen were worked upon only by their own apprehensions of what was most unlikely to take place. But still they voted in consequence of those threats; and the influence upon the election, therefore, was the same, although a false impression had made that influence successful. The last case to which he should call the attention of the House was that of the coal-meters. In the two former cases, Baron Twyll had communicated through other persons, or personally: but in this case he wrote a letter to Mr. Oultman, from the Castle, requesting that Mr. Oultman would call upon him at the Castle. Now, this was important, because, in the case of Mr. Freemantle, a clear distinction had been drawn between a letter written from the private house of an official person, and a letter written from the official residence. The latter was considered as an official communication; the former might be intended as a private one. It appeared that the coal-meters were considerably affected by the bill which the present Government had introduced respecting coals. They had lost much in consequence of that bill, and they had got it into their heads, that they were to have compensation for that loss. But, there was also a certain duty, which it had been the province of the coal-meters to collect. They collected it under warrants from the Custom-house. It was necessary that he should mention this, in order that the House might understand the evidence. Well, at the time of the election, the coal-meters of Dublin were holding meetings, on the subject of their expected compensation, and it was under these circumstances that Mr. Oultman, who was Inspector of the Dublin coal-metage, had his first interview with Baron Twyll, and, at his interview with Baron Twyll, the latter was represented as having told him, that they could have no hope of compensation if they did not support the Government. "I mentioned," says Mr. Oultman, "that the meters did not wish to oppose Government, as they were seeking compensation for loss of situation, and the injury they might sustain. He said, that if they opposed Government, they could not expect that Government would grant them a favour. I said, I did not conceive it a favour, but more like an act of justice. He repeated again, that they could not expect that Government should support them, unless they supported Government." The second interview between Baron Twyll and Mr. Oultman, took place in consequence of the letter of the former. At that interview, according to Mr. Oultman, Baron Twyll said, "You will recollect, Mr. Oultman, on the former meeting, I held out no threat to you." Now he thought this bad; he did not like this expression of Baron Twyll, and he confessed, that he thought it looked suspicious. However, the result of the negotiation was, that a vast majority of the coal-meters voted against the Government. Shortly after their having so voted, the warrants under which they had collected the duty, of which he had before spoken, were withdrawn. The witness Oultman, clearly intended to convey by his evidence, that these warrants were withdrawn in consequence of the votes which the coal-meters had given. [Mr. *Stanley*: Not in consequence of their votes. It had been resolved upon before that.] However, the collection of the taxes was taken from them after they had so voted, and so far it corroborated the menace of Baron Twyll. This appeared, in the opinion of the coal-meters, to be the cause of the withdrawal of the warrants from them. He, however, had no hesitation in saying, that he believed this opinion to be wholly mistaken, and that it would be quite untrue to say, that the warrants were withdrawn for any such reason. He was quite sure that the warrants had been withdrawn, because the Government had thought, and very properly thought, that the collection ought to be made by the Custom-house, and not by irresponsible persons like these coal-meters. He supposed, that he had now stated enough to justify the Resolution, which he was about to propose. As this, however, was a new case, the first case in which any Committee under the Grenville Act had reported respecting undue influence, he should wish to add a few observations to the statement he had made. It would be desirable, if the House would permit him to refer to the case of Lloyd, Bishop of Worcester, which occurred in the reign of Queen Anne. He was the more anxious to allude to that case, because it was almost the only one in which the House of Commons, although they had made many bold and blustering Resolutions, appeared to have acted boldly. The Bishop of Worcester and his son, Mr. Lloyd, were accused of improperly interfering in an election. On the 18th of November, Sir John Packington, the complaining candidate, brought forward his case.* He proved that the Bishop of Worcester had, by preaching and by letters, improperly influenced the clergy and other voters against him, and that Mr. Lloyd had been guilty of the most arbitrary and oppressive acts, for the same purpose. Upon the evidence, the House declared, that the Bishop, his son, and agents, had been guilty of a gross breach of the privileges of the House; and also addressed the Queen for the removal of the Bishop from the office of Almoner to her Majesty, and likewise ordered a prosecution to be instituted against Mr. Lloyd. The Queen, in compliance with the Address of the House, did dismiss the Bishop from the office of Almoner to her Majesty; and in the next Session, the Solicitor General reported to the House, that a prosecution had been commenced against Mr. Lloyd. He could not trace the result of that prosecution, however, upon the Journals of the House, and therefore concluded that it failed. Having thus stated the case of the Bishop of Worcester, in which the House appeared to have acted with considerable severity, it would be only right, in order that the House might understand the nature of the very reprehensible conduct of the Bishop, to make some observations on the evidence, which induced the House to take such strong measures.

Wilmot, one of the witnesses examined, stated, "That in consequence of his voting for Sir J. Packington, Mr. Lloyd told him he would be even with him; and accordingly, when he was hunting with him after the election, he sent his servants and broke open his stable door, and took away his setting dog, and gun, and nets, which he had previously given him leave to keep, and which the said Mr. Lloyd had made use of for his own diversion, and when he complained to Mr. Lloyd about it, he reproached him for having voted and made interest for Sir John Packington, and reminded him, that he said at the election, 'he would be even with him.'"

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* For a report of the proceedings in this case, see Hansard's Parliamentary History, vol. vi. p. 50.

Filkin, being examined, said, "The Lord Bishop of Worcester sent for him on a Sunday evening, and told him he was resolved to make all the opposition he could to Sir John Packington; if any of his tenants voted, they should never renew again as long as he lived. Filkin said, he had promised to vote for Sir John Packington, and requested permission to stay at home. The Bishop said, 'I would as lief you should run a sword against me, as offer such an affront—staying at home will not serve my turn; unless you vote against Sir John Packington, I will never renew anything with you, and I will set such a mark on you, that none of my successors shall ever renew leases with you, or any of yours." He further said, he and his ancestors had rented under the Bishop for many hundred years, and he hoped the Bishop would not ruin him and his children. 'It is your own fault, you may thank yourself for it.'" Griffin deposed, "That the Bishop was so angry with him for voting, that he had some of his inclosures thrown down. The Bishop said, Sir John Packington was a very ill man, voted ill in the House of Commons, and had written a scandalous and wicked pamphlet against the translation of Bishops." That was the only case, he believed, in which the House had acted with any decision. Other cases had occurred, in the times of Lord Castlereagh, Mr. Pitt, and Mr Perceval; but he would not, however, trouble the House with the details of those other cases, although he held them in his hand. In looking over those cases, he had observed, that the Gentlemen in opposition invariably pressed for a decision upon them, while the Government and its adherents, as constantly attempted to get rid of them by a side-wind. On the part of Government, either the previous question was moved, or a postponement for three or four months attempted. In fact, all the difficulty in such cases had resulted from the House not pursuing a bold, straightforward, and honest course. He did not know whether the Resolutions which the Clerk had read, were wise or improper Resolutions; but, he was quite sure that they ought either to be acted upon, or erased from the Journals. He had begun by stating, that he should propose no Resolution which was not borne out by evidence. He thought the House would agree with him, that the evidence did bear out the fact, that Captain Hart and Baron Twyll had used improper influence, at the late election for the city of Dublin. The only other Resolution he should propose, would be one to that effect. It mattered not to him, nor to the House, whether that influence was or was not exercised by order of the Lord Lieutenant, for in either case, the influence that had been exercised came within the spirit of the Resolution of the House. It was the influence of office, which Captain Hart and Baron Twyll had exercised. He should therefore, merely propose a Resolution, stating, that such influence had been unduly exercised. He trusted, that nothing had fallen from him, in what he had stated to the House, which savoured of disrespect to the noble Lord who filled the office of Lord Lieutenant of Ireland. He, in common with the world, had the profoundest admiration of Lord Anglesey's military talents, and he fully approved of the policy of Lord Anglesey's Administration in Ireland. Let him, too, not be so far misunderstood, as to be supposed to mean, when he complained of the interference of this Government, in the Dublin election, that other governments had not exercised similar influence. He believed, that other governments had exercised the same influence, and a very lamentable fact it was; for it was in vain to complain of Juries and Magistrates in Ireland being influenced by improper motives, when such an example was set them in the highest quarter. What would be the use of the Reform Bill, if the exercise of such influence were to be tolerated? The only fair and sensible course was, for the House to act upon their Resolution of 1779, or to erase it from their Journals, saying, that there must be the exercise of such influence, and that therefore they would not deceive the public any longer, by pretending that the influence was objectionable, nay criminal. They made a law, which disqualified Customs and Excise officers from voting at elections; and why, he should like to know, were the higher dependents of Governments allowed to retain the elective franchise? He should be glad to see a bill introduced into that House, disqualifying all persons who held office, and who were removable at pleasure, from voting at elections—a bill which should put Secretaries of State and Excise officers upon the same footing, in this respect. He did not know how the Government would meet these Resolutions of his. Probably they would, like their predecessors, try to get rid of them by a side-wind; but he hoped that he should have the support of the House to the very moderate Resolution which he was about to propose. He entreated the House to agree to that Resolution, for the sake of the privileges of the House, for the sake of the purity of election, and for the sake of proving to the poorest and humblest individual in the country, that they would not allow any one to prevent him, by intimidation, or other illegal means, from the free exercise of the most glorious privilege which freemen possessed. He would not detain the House further. The Resolution which he had now to propose, was this:—"That it also appears by evidence adduced before the Select Committee, appointed to try and determine the merits of the petition of James Scarlett, William M'Cleary, and others, severally complaining of an undue election and return for the city of Dublin, that official influence has been unduly exercised by the Irish government, at the said election, and that such influence, as exercised by Captain Hart and Baron Twyll, in favour of the late Members, was a gross violation of the privileges of the House, and in direct contravention of the law of Parliament, as laid down in the Resolution of this House of 1779." The hon. Member stated, in conclusion, that if these Resolutions were agreed to, he should move for leave to bring in a Bill, to take away the right of voting from all freeholders in Dublin, whose freeholds were of less value than 10*l.* a year, putting them precisely on the same footing with the freeholders of the counties in Ireland.

The Resolutions having been read from the Chair,

Mr. *Stanley* rose and said, that whatever might be the feelings or opinions of hon. Members with regard to the subject which the hon. Member had brought under the consideration of the House, he thought that every hon. Gentleman would agree with him (Mr. Stanley) in doing that hon. Member the justice to say, that in the mode in which he had dealt with this case, and in the comments which he had made upon the evidence by which it was supported, he had acted in strict compliance with the ordinary course of parliamentary proceeding. There was nothing in the mode of stating this case on the part of the hon. Gentleman of which he could complain. There was nothing in his comments, as he had just observed, upon the facts, as they had appeared in evidence before the Committee, that at all deviated from the ordinary course of parliamentary proceeding. But while he was thus willing to give his hon. friend credit for the manner in which he had stated this case to the House, he would, at the same time, submit, that his hon. friend, both in the statement which he had made, and in the Resolutions with the proposition of which he had concluded that statement, ought to have kept clear and distinct, the two parts of this subject, which had no earthly connexion with each other. He should have kept quite separate, in the Resolution which he had proposed, two points which in his (Mr. Stanley's) opinion, and he was sure that opinion would be fortified by the general opinion of the House at large, should not be considered at the same time, or made the subject matter of the same decision, for they were altogether distinct and different, and however mutually worthy of the consideration of the House, they should be taken as separate and distinct questions. His complaint was, that his hon. friend had mixed together those two questions, which had nothing to do with each other. The first three resolutions which were proposed by his hon. friend, were to the effect, that a direct system of creating fraudulent and fictitious freeholders had been carried on in the city of Dublin; that that system had been supported and maintained by perjury and bribery; that the existence of such a system was a gross violation of the purity of election; and that it was the duty of the law officers of the Crown in Ireland to take the necessary steps for punishing the persons who had thus offended. So far the subject to which the resolutions proposed by his hon. friend related was one and the same, and the resolutions regarding it were properly connected together. But to what did his hon. friend go in the next resolution which he proposed for the adoption of the House? Why, to a question which was altogether distinct from that, relating to the 40*s.* freeholders in Dublin, and in which they were in no wise implicated or concerned. His hon. friend first called on the House to pass certain resolutions condemnatory of the conduct of the 40*s.* freeholders in Dublin, and these resolutions he followed up by another resolution, condemnatory of the conduct of the

Irish Government, in connexion with which it had no connexion whatever, namely, the alleged bribery of the 40*s.* freeholders in Dublin. His hon. friend, after proposing such resolutions upon matters which ought to have been treated under separate and distinct heads, concluded by stating, that should his resolutions be adopted by the House, he would then move for leave to bring in a Bill to abolish the 40*s.* franchise in the city of Dublin, and to make the right of voting at elections in that city, for the future, be derived from freeholds of not less than 10*l.* annual value. Now that point, as well as the conduct of the 40*s.* freeholders in Dublin, was a subject for grave consideration, and the hon. Member ought not to have mixed it up with the charge against the Irish government, which was also an important point, that should be considered by itself, and without reference to other matters with which it had nothing to do. His hon. friend said, that he should like to know what course his Majesty's Government intended to pursue with regard to this subject. Now, if any party had a right to complain upon that point, it was his Majesty's Government, for it was not until a late hour that day that they had been made acquainted with the course which it was the intention of the hon. Member to adopt, and it was not until he (Mr. Stanley) came down to the House that evening at five o'clock, that he first saw the resolutions which the hon. Member was determined to propose to the House on this subject. He had previously understood generally, that it was the intention of the hon. Member, acting upon his own responsibility as the Chairman of the Committee on the Dublin election, and not acting in concert with the Committee, to bring forward certain resolutions upon this subject, which should affirm the resolutions that had been passed by the Committee up-stairs in reference to it. And the hon. Gentleman having, under these circumstances, brought forward this case, what he meant to propose was, that the two separate matters to which his resolutions referred, which were so distinct from each other that it would be impossible to do justice to either of the questions which they involved, by coming to a simultaneous decision upon both of them, that those two matters should be separated, and made the subject of distinct decisions on the part of the House. It was the more desirable to do so, as it might be necessary to deal very differently with the resolutions which referred to the existence of fictitious and fraudulent freeholders, from the manner in which the House might be inclined to deal with the other resolutions which the hon. Gentleman had brought forward. On a reference to the evidence of the witnesses who had been examined before the Committee, with regard to the fictitious freeholders who were manufactured out of cabbage beds and raspberry gardens, there certainly could be no doubt that there had been a creation of such fraudulent and fictitious voters, and that they had been multiplied through a system of fraudulent subletting. But that was altogether a separate and distinct case from the one in which the Irish Government was concerned. Now the passing of the whole of the resolutions, as proposed by the hon. Gentleman, would be the passing of a virtual condemnation on the conduct of the Irish government; and as it would be impossible for him (Mr. Stanley) to mix up the defence of the Irish government with the question of the freeholders of Dublin, and as he could not think of contaminating it by a connexion with the case which related to those fictitious and fraudulent voters, and the system of bribery and perjury by which they were supported —a case with which the House would have perhaps, to deal hereafter in a judicial manner—he did hope that the hon. Gentleman would consent to separate the case of the Irish government from their case, and to bring it forward at a subsequent period of the evening, when his resolutions regarding the state of the constituency in Dublin had been previously disposed of. He should be then prepared to enter upon that defence of the Irish government which he was at present prevented from making, owing to the manner in which the hon. Gentleman had introduced his resolutions, and he should then be able to lay before the House a complete and substantial vindication of the conduct of that Government with which he had the honour of being connected, against the charges which had been preferred against it with regard to its alleged interference in the late election in the city of Dublin. Leaving, then, the discussion of that subject for the proper opportunity, he would return for a moment to the consideration of that system of fictitious freeholders in the city of Dublin to which the resolutions of the hon. Gentleman referred. He did not suppose for an instant that his hon. friend was altogether so unacquainted with what was passing in this country, that he was so completely ignorant of what was done in England, as to take for granted that such a system as that was peculiarly and exclusively confined to Ireland. He did not think it possible, that his hon. friend should imagine that such things had never been done in this country as well as in Ireland, and that 40*s*. freeholders of a similar description had not been created in every county in England, to serve the electioneering purposes of those landlords on whose properties they existed. Without opposing the resolution which had reference to the existence of this system of fictitious freeholders in Dublin, and without going into the discussion of a question which would be fully discussed by Gentlemen who would follow him, and who were much better qualified, from their local and legal knowledge, for the task, than he was, he begged to bring one fact before the consideration of the House, which he thought would go far to show, that this system of fraudulent and fictitious freeholders prevailed to quite as grievous an extent in England as it did in Ireland. He remembered having seen, a few years ago, a French gentleman in this country, with whom he had the happiness of being acquainted, and who had since published a very clever and lively account of his travels in this country and in Ireland. He alluded to M. Duvergier de Hauranne, who was at present a member of the Chamber of Deputies. That gentleman travelled in this country in the year 1826, when the general elections were going on, and happening to be present at the Westmorland election, he witnessed the examination of a freeholder, something akin to the *genus* that was to be found in Dublin. In the work which he had since published he gave a very amusing account of that examination, to the following effect, and the House would recollect that this statement was given upon the authority of a foreigner, of a gentleman with whose impartial testimony neither local prejudice nor party feeling could in the slightest degree interfere. The following was the examination of the freeholder at the Westmorland election, as it was reported by this gentleman:—"Where is your freehold?—In so and so." Not of course Coldblow-lane. "What is it worth?—40*s*. Who is the landlord?—Lord Lonsdale. Who made you a freeholder?—Lord Lonsdale's Steward. What are you?—Lord Lonsdale's livery servant. Who pays the rent?—Lord Lonsdale's Steward. Did you ever see your freehold?—Never in the course of my life." That was but one of the many instances which might be brought forward to show that, bad and corrupt as this system of fraudulent fictitious 40*s*. freeholders was, it was not confined to the 40*s*. freeholders of Dublin, but that it was an evil that had also extended throughout this country. Again he would say, that the case of the freeholders in Dublin should be separated from that of the Irish government. He should not oppose the putting of the two first resolutions, which had reference to the system of fictitious freeholds in Dublin. His learned friend (the Attorney General) would have an amendment to propose to the third resolution, regarding the proceedings to be taken by the law-officers of the Crown in Ireland. Until these resolutions were disposed of, he should not enter into that full defence of the conduct of the Irish government which he was prepared to make, and which was in no way connected with the subject immediately before the House.

Mr. *James Grattan* said, that in the absence of his hon. relative (Mr. Henry Grattan, member for Meath), who was unavoidably prevented from being present, he, owing to his want of personal knowledge on the subject, was not able to do justice to that defence which he was sure his hon. relative could make, as far as he was connected with this matter. It was quite true, that a certain number of freeholders had been created in Coldblow-lane—that place which was rendered so famous by the statement of his hon. friend, the member for Cricklade;—it was quite true, that upon some small tenements there, a certain number of freeholders had been made, and he believed, that upon a small number of acres, there were about fifty freeholders created. His hon. relative, at his election, did not make use of any of these freeholders. His hon. relative lost the election which he contested for the city of Dublin, and at that election not one of those freeholders was polled. His hon. relative had no connexion whatever with the last election in the city of Dublin. He thought, that his hon. friend, the member for Cricklade, should not bring forward a general and sweeping charge against the freeholders of Dublin, founded upon the *ex parte* statement which had been made against those unfortunate freeholders. He was of opinion, that it would be most unfair and unjust for the House to come to a decision on such a statement as that. He thought that the House should pause, and that it ought to investigate and sift the whole matter thoroughly, and to the bottom, before it came to a final decision on the subject.

Mr. *Walker* remarked, that, as certain returns had been moved for, which had not yet been received, and which were expected to throw some further light upon the subject, he considered it advisable to pause before they came to a final decision.

Mr. *Hunt* said, it was quite true that the hon. member for Cricklade had brought forward this motion without consulting the Committee. If he had consulted with the Committee, his motion would not, probably, have been so unintelligible as it appeared to be to the hon. member for Windsor (Mr. Stanley). He (Mr. Hunt) was of opinion, that such a description of voters as the Coldblow-lane voters should be put an end to at once, and that they should not wait for the passing of the Reform Bill to remedy such an evil as that. The Irish government appeared to him to be deeply implicated in the transactions connected with the late election in the city of Dublin. He for one would not mind Baron Twyll, Captain Hart, or any of the subordinate officers. He would go to higher game. He would go to the head of the Irish government, who, as it appeared from the evidence, was deeply implicated in this transaction.

Mr. *Spring Rice* thought, that what had fallen from the hon. member for Wicklow was highly deserving of the attention of the House. He was of opinion, that the House would be guilty of the grossest injustice if it countenanced his hon. friend in his proposition for bringing in a bill, on account of the existence of certain fraudulent and fictitious freeholders in Dublin, to put an end to all the freeholders in Dublin. [Mr. *Gordon:* To the 40*s*. freeholders only.] His hon. friend said, the 40*s*. freeholders only; but he would say, that it would be a gross act of injustice towards the 40*s*. freeholders of Dublin, to disfranchise the whole of them, because it might have appeared, that there were some fraudulent and fictitious voters amongst them. He was ready to admit, that a very strong case had been made out against the Coldblow-lane freeholders, but then the remedy should be apportioned to the abuse, and they should not put an end to the 40*s*. freehold system in Dublin altogether, because some cases of abuse connected with it had been proved. If the hon. member for Cricklade would bring in a bill to prevent the multiplication of fraudulent and fictitious voters in Dublin, the object of such a measure would be just and fair, and it should have his support; but it was a very different thing to propose the total disfranchisement of the *bonâ fide* 40*s*. freeholders in that city. It would be unjust, to confound the innocent in that manner with the guilty, and to sacrifice both. He begged to protect himself against the supposition, that in assenting to the two first resolutions, he should be at all inclined to give his support to the proposition of which the hon. member for Cricklade had given notice, for the disfranchisement of the 40*s*. freeholders in the city of Dublin. That would be a most unjust mode of dealing with the case, and it would excite very strong feelings on the other side of the water if it should be adopted.

Mr. *Robert Gordon* begged to explain, that his resolutions merely affirmed the resolutions of the Committee, that a system of fraudulent and fictitious 40*s*. freeholders had existed in the city of Dublin, and that such a system was supported by bribery and perjury, and as a corollary upon such resolutions, founded as they were upon evidence given on oath, he meant to move for leave to bring in a Bill to take the franchise from the 40*s*. freeholders in Dublin, and to limit it to freeholds of not less than 10*l*.

Mr. *Stanley* denied, that it had appeared in evidence before the Committee, that a gross system of bribery and perjury generally pervaded the 40*s*. constituency in Dublin. There were in the county of the city of Dublin several 40*s*. freeholders quite as respectable and quite as independent as any 10*l*. or 20*l*. freeholders in that city. It was perfectly true, that the existence of a fraudulent and fictitious set of freeholders in Coldblow-lane had been proved; but was that any just ground for taking away their rights from the general body of the 40*s*. freeholders in Dublin? Certain cases of abuse, to which the proper remedy might be applied, afforded no justification for such a measure of disfranchisement as that. Would it be fair to inflict punishment on those against whom no charge had been proved, or even preferred? He had already stated, that his learned friend (the Attorney General) would move an amendment upon the third resolution, which regarded the proceedings to be adopted by the law officers of the Crown in Ireland, in reference to those against whom the charge of bribery had been proved; and that he meant to move an amendment as soon as the two first resolutions were disposed of.

Mr. *Lefroy* contended, that those parties against whom such charges had been made and substantiated in the Committee should be prosecuted. The suffrages of these fictitious freeholders were not received by Mr. Grattan after he had made them, but they had now come forward and taken an oath that they were *bonâ fide* freeholders. This was a clear case of perjury against those persons, in addition to the fact of their having openly received bribes. He would, therefore, give this resolution his candid support, as he thought persons who had been guilty of such practices ought to be prosecuted.

Colonel *Conolly*, as one of the oldest freeholders of Dublin in that House, wished to say a few words on this question. He was of opinion, that the whole of the proceedings connected with this Dublin election should be submitted to a minute and accurate investigation on the part of that House. The creation of fraudulent and fictitious freeholders in Dublin should, however, be laid at the door of one person, and one person alone. Such a charge could not be maintained against the general body of the constituency of Dublin. The crime of creating such freeholders rested at the door of the person who made such freeholders, and was not chargeable on the unfortunate devils themselves, who were merely the tools of his purposes. With regard to the Irish government, he was sorry to say, for he had shared in the hospitality of the noble Lord at the head of the Irish government, that he thought the case was one which should be inquired into. The instituting of such an investigation would be only an act of justice towards the Irish government itself, which would no doubt be most anxious to have its conduct in reference to this transaction fully investigated.

Mr. *Sheil* said, that these resolutions were objectionable, on the ground that they were directed to an ulterior object. The hon. member for Cricklade, in moving these resolutions, evidently meant to found upon them, should they be passed, a bill for disfranchising the 40*s*. freeholders in Dublin, and he (Mr. Sheil) was anxious not to afford him a foundation on which such a superstructure might be raised. It should be recollected, that there were 6,000 freemen in Dublin, principally in the Corporation interest, and only 1,500 freeholders; and if the 40*s*. freeholders were swept away, the Corporation influence would be paramount there. Where was the charge substantiated against the freeholders to justify such a measure as that? There were, no doubt, some low freeholders, but were all the freemen of a pure and respectable class? No doubt there were several most respectable individuals amongst the freemen of the city of Dublin, but it was equally certain, that many of the Dublin freemen had been nursed in the Foundling Hospital, were educated in the Charter-schools, and had graduated in the Corporation. Why had the hon. member for Cricklade given notice of a motion of such injustice with reference to the great body of the 40*s*. freeholders in Dublin? Had there been no instances, and that, too, lately, in this country, of as great delinquency, and of greater too, than that which had been proved against some of the 40*s*. freeholders in Dublin? Was not the case of Liverpool one of yesterday as it were, and had it passed altogether from the memory of the hon. Member? At that election the very hustings had been polluted by the contamination of bribery; and why did not the hon. Member bring forward some proposition with regard to the electors of Liverpool? It might be said, to be sure, that the hon. Gentleman brought forward this proposition as the chairman of the Dublin Election Committee; but the hon. Gentleman had received no instructions from the Committee to submit any such proposition as that to the House.

The two first resolutions agreed to. On the third resolution, which was to the effect that it was the duty of the law officers of the Crown in Ireland to take immediate measures for the punishment of those persons who had been concerned in those illegal practices which had been proved before the committee on the Dublin election petition, having been read,

The *Attorney General* said, that he rose to propose an amendment on this resolution, as it went considerably further than the two first resolutions which had been just agreed to. The hon. Gentleman could achieve the object which he had in view without exactly adopting the terms of this resolution. The House should be extremely cautious not to pronounce any decision with respect to the criminality of individuals whose conduct might hereafter be made a subject for legal investigation in a court of law. There was nothing that the House should more carefully guard against than that. Indeed, upon all matters connected with transactions of this description, it was most necessary, that they should avoid circulating *ex parte* decisions or statements before the final investigation took place. He regretted much, that the gallant Colonel opposite had alluded in such a pointed manner to the charge against the head of the Irish government—against a nobleman of whose hospitality the gallant Member had partaken, and whose administration was the admiration of all enlightened men both in England and in Ireland. The gallant Colonel, too, said, that the charge of making those fictitious freeholders should be laid at one door only. Was it fair thus to prefer a charge against an individual who was absent, and who had no notice that such a charge would be made against him? The name of Grattan could never be mentioned in that House without a feeling of veneration, and a charge of such a nature should not be made against the owner of that name while he was absent. At all events, he was sure that it would not prejudice the House against him when he came to make his defence. He objected to this resolution, because it pronounced an opinion with reference to the conduct of those individuals whose conduct might hereafter be made the subject of prosecution. He objected to it further, because it was not the duty of the law officers of the Crown in Ireland to take for granted, that these persons were guilty, and to prosecute them accordingly. On these grounds he wished to move, as an amendment—"That an humble address be presented to his Majesty, praying that his Majesty would be pleased to direct the law officers of the Crown in Ireland to institute an investigation into the system of fictitious freeholds which prevailed in the city of Dublin, and to take such steps to remedy the evil as might seem to them most in accordance with the ends of public justice."

Mr. *Robert Gordon* said, that as this amendment fully answered the object which he had in view, he should have no objection to withdraw the original resolution.

Mr. *C. W. Wynn* said, that in a case affecting their own privileges, it was not the practice of that House to proceed by Address, but to act themselves. The House was itself, after the committee had reported upon evidence given before it upon oath, perfectly competent to deal with this matter itself. He should therefore suggest, that instead of an address, the resolutions should be "that the law officers of the Crown be instructed to prosecute," &c.

The *Attorney General* had no objection to alter the resolutions as proposed. Cases brought before Committees must be considered *ex parte*, as the opposite parties had no opportunities to rebut the evidence advanced. The cases of bribery must also be looked into.

Sir *Charles Wetherell* said, that a Committee of the House had made a certain report, and he wished to know why the House itself would not act upon that report, instead of leaving it in the hands of the learned Gentlemen opposite, who might not be inclined to proceed upon it as the House, in defence of its rights and privileges, should wish. He hoped his hon and learned friend would not press his amendment; for, if he did, he should feel it his duty to divide the House, for otherwise the proceedings of the Committee would be practically nullified.

Mr. *Crampton* said, that the first charge was for perjury against persons who had registered themselves as 40s. freeholders when they knew they were not so; and one motion before the House was, that the Attorney general of Ireland should take proceedings against such offenders. This was all that was required; for as to the charge of bribery, the whole subject was within the jurisdiction of a Committee, and the Attorney general had moved, that the law officers of the Crown in Ireland should, upon the report of the

Committee, institute proceedings when they saw that there were any grounds for doing so. He would be the last man to defend the system of bribery and of creating fictitious votes in Dublin, but he could not support the proposition before the House, if, by so doing, he considered that he pledged himself to any view of the evidence taken by the Committee. He wished the subject to remain perfectly unprejudiced. There was but one instance in which a case of fictitious freehold was brought before the Committee. There were only from eight to ten instances of bribery of 40*s.* freeholders, and 150 cases of freeholders registered in the manner in which the hon. Member had represented. The bribery in Dublin, when compared to what had been practised at Liverpool, was as a drop of water to the ocean.

Mr. *Hunt* contended, that although bribery and perjury had been proved in the Committee of which he was a member against the Coldblow-lane voters, yet there was not the smallest shadow of proof that Mr. Grattan was at all implicated by their conduct.

Sir *James Scarlett* was of opinion, that the evidence taken by the Committee, if carried before a Jury, would justify a conviction of bribery, and it had been a practice of the House, in such cases, to direct a prosecution against the offenders. He should prefer, that a prosecution should be instituted by directions of the Crown, rather than by the House. In the present case there was strong evidence of bribery having been practised by both parties. The hon. member for Wicklow had shown, that his brother did not profit by the freeholders he had made, and it was a great aggravation that they were afterwards used by other parties. It was left for reforming and liberal candidates to avail themselves of voters, which he, who had created them, was ashamed of. He remembered the case of an hon. candidate for Middlesex, who created many fictitious freeholders by giving them shares in a small mill, but the whole of them were rejected by the House. The case before them was much stronger, and it was also one of systematic bribery also. The Committee had made all necessary inquiries into the case, and the only course was, to institute prosecutions against the offenders.

The *Attorney General* had altered his amendment so as to meet the views of all sides, and it would stand thus: "That a humble Address be presented to his Majesty, praying that he will be graciously pleased to give directions that the law officers of the Crown in Ireland do take immediate measures to prosecute all such persons as have been concerned in unconstitutional practices at the late election."

Mr. *Strickland* felt bound to complain, that they were going to inflict an act of severity on a few wretched individuals, who were to be crushed because they had not any persons to stand up to protect them. If he were able to see in this proceeding anything like equal justice, it should have his support; but he thought that its principle was just the contrary, and when he remembered how the case of Liverpool had been passed over, and now saw, that some wretched individuals in Dublin were to be marked out for prosecution, and merely for doing that which it was notorious that thousands and tens of thousands of people in both countries had practised with impunity, he felt bound to protest against the proposition now made. He felt, that he could not conscientiously give his vote in favour of these proceedings; particularly at this time, above all others, it was the less necessary to proceed to such extremities, when they had under their nightly consideration a measure, the effect of which would be, to prevent the recurrence of such events in future.

Colonel *Torrens* said, that in the borough which he represented, there had been fictitious voters, including clergymen of the Church of England, from time immemorial; and while this was there continually practised with impunity, he could not consent to proceeding in the Dublin case.

Dr. *Lushington* said, that if no blame was to be attached to Mr. Grattan, who had created these voters, were they to allow no *locus penitentiæ* to the voters who had been so created? He, therefore, thought, that they were bound to narrow the Amendment, so as to exempt them from punishment for fictitious voting; and he also thought, that they ought to narrow it so as to save them from penalty for bribery. For, in fact, who were the most guilty persons on the question of bribery —those who gave the bribe, or those who received it?—those who, knowing it was an infringement of the law, tempted the poor man, for the sake of the honour of a seat in that House, or those who received it, because they were really in want of the pittance that was thus offered? The perjury and bribery at the Dublin election were most disgraceful, but it was not the poor who ought to be prosecuted, but the paid agent; and, against him, the law ought to be let loose in all its severity. He would therefore, have the Amendment limited to directing prosecutions against those who had been guilty of bribing the voters.

The *Attorney General* conceived, that he had prepared his Amendment so as to meet the general wishes of the House. He conceived, that the feeling of the House was, that all persons should be prosecuted who had been guilty of bribery with respect to fictitious freeholders, for the act of creating them was, in the eye of the law, no crime at all. He conceived, that the object of his learned friend (Dr. Lushington) would be met, if it were moved, that the law-officers of the Crown in Ireland were directed to prosecute such acts of bribery as were committed at the last election, with respect to bribing voters. He should, therefore, withdraw his Amendment, and substitute for it a proposition, "that the law-officers of the Crown in Ireland be directed to take immediate measures for the purpose of bringing to justice all such persons as may have been guilty of bribing voters at the last election."

The Speaker having put the above Amendment from the Chair,

Mr. Alderman *Waithman* said, that he should vote against the question, inasmuch as it amounted merely to a direction to prosecute and punish individuals for doing that which was a common practice with individuals in that House, and which had long been the practice throughout every part of the United Kingdom. He could never conceive a very favourable opinion of either the morals or intelligence of that man, who could uphold a system of Representation by which bribery became a common practice, and was encouraged in every shape, and who yet cried out so vehemently and ostentatiously for prosecuting poor individuals, when they were caught in the fact. He must remind the House of a Member, who, when a similar question had been discussed, had said—"Let him who is guiltless, throw the first stone; but, for my part, I must confess, that I am not the person by whom that stone can be cast." He did not think, that the last Amendment made any material alteration in that which had preceded it.

Mr. *C. W. Wynn* preferred the Amendment as it had stood at first. It appeared clear from the evidence before the House, that a system of creating fictitious voters had long prevailed in Dublin, and that the system had been supported by perjury and bribery. The House could not, consistently with its dignity and with its character for moral justice, follow this up, by prosecuting those who gave bribes, and by letting those who received them escape. If the Reform Bill should pass, the individuals who had taken bribes, if they were not prosecuted, would still be allowed to retain their votes, and for their lives. He thought, that the law-officers of the Crown should be directed to institute prosecutions, without being confined as to what classes they were to prosecute, by any direction of that House. He had adopted the system he was now advocating for thirty years, and no taunt of any Members in that House would ever induce him to alter his conduct. Wherever it was proved to the House, that offences of this nature had been committed, he would always vote for the parties being prosecuted.

Mr. *George Bankes* thought, that those who gave the bribe ought to be punished; but he also thought, that the other party ought to be punished likewise, though he had no objection to leave to the discretion of the law-officers of the Crown in Ireland the question of who should be selected for that purpose; and, as the givers of the bribes, probably, could not be reached, without the evidence of those who received, care, of course, would be taken to exclude those who were to give testimony from indictment. A very material part of the evidence, however, appeared to him to have been overlooked—he alluded to that which went to implicate the Irish government in what had taken place; and he was the more surprised at it, when he remembered the way in which the Irish government had, in the early part of the Session, been defended, and, particularly, when he recollected what had fallen from the right hon. the Irish Secretary, on the subject. Hon. Gentlemen on the other side of the House had alluded to the case of Liverpool, and had regretted that that case had been passed over, while i had been proposed to visit the Dublin case so heavily. But he begged to ask whose fault it was, if the Liverpool case had been passed over? That case had been in the hands of the hon. member for Wiltshire during the whole of this Session; and it certainly was no fault of the hon. Gentlemen on that, the Opposition, side of the House, that that question had not been brought on. They had come down several times in the full expectation that the question would be brought on; and, one night, when it was actually brought on, it was stopped by the House being counted out.

Lord *John Russell* would detain the House but a very few minutes. He preferred the Amendment as it was originally drawn. With respect to bribery, it was well known to every body in the kingdom, that it was an offence, as well in those who bribed as in those who took a bribe, and no man could doubt, that, in either case, he was committing an offence, both against the Constitution, and against morals. With reference to another practice, it constituted an offence of a totally different nature, and no man could be ignorant that the punishment against bribery could not be applied to the practice of creating fictitious votes. Here the offence lay solely in those who created the freeholds. To pass over these men, and to inflict punishment upon the poor creatures who knew not whether their freeholds were legal or not, would be the height of injustice. With respect to the election of Liverpool, the consideration of the case had been postponed, at the request of those who wished to bring forward the Reform Bill as the more important measure. This was done, without any intention of protecting from prosecutions those who had been guilty of bribery at the Liverpool election. The whole question of the Dublin freeholders was of a very secondary importance to that of a general Reform. He would have wished, that the present discussion should have been avoided; but he had consented to it, because it had been contrived to form the question into an implication of the Irish government.

Mr. *Robert Gordon* could not agree, that the Resolution ought to be confined to the givers of bribes, for the inference would be, that the House did not view as any offence the taking of them. He wished, however, that the present case might be left to the discretion of the law-officers of the Crown in Ireland, and he should move as an amendment, "that the law-officers of the Crown in Ireland be directed to take immediate measures for the purpose of bringing to justice such persons as may have been concerned in illegal and unconstitutional practices at the late election for the city of Dublin."

Sir *James Scarlett* said, it would be a bad example, if the wording of the Resolution went to screen any of the guilty parties. He would not say who were the parties who ought to be prosecuted: it appeared from the evidence, that many of the fictitious freeholders were neither ignorant nor ill-advised.

Mr. *John Wood* would not have addressed the House, had he not been alluded to. It was he who had counted out the House upon the day the Liverpool election stood for discussion, and he remarked it as rather a strange circumstance on that occasion, that, out of thirty-three Members present, there were twenty-three of them Anti-Reformers. His object then was, to prevent the House from being occupied with comparatively unimportant business. The whole system of the Opposition Members had been one of contriving unnecessary delays to the Reform Bill, and the present discussion was a proof of the fact. About forty Members of that House used every contrivance to delay the measure of Reform, and he therefore looked with suspicion at their interrupting the course of general Reform, by their pretended zeal against isolated instances of corruption in a particular place. He could not but seriously regret, that the time of the House was wasted, as it had been that evening, with a motion like that before it, while the far more important measure of Reform, on the progress of which the public mind was rivetted with intense anxiety, was awaiting discussion. With such a measure before the House, and in the peculiar state of the public business, in consequence of its all-absorbing magnitude, the present Motion, so far as it professed to correct the evils of election, was a complete farce. Yes, he repeated, the resolution then under consideration was a perfect mockery; as if, forsooth, bribery and corruption were such strange phenomena in the present system of election,and as if the practice of making fictitious votes, and using undue influence over poor and unprotected electors, were wholly unknown to the immaculate Gentlemen who were just now so anxious to pounce, with the talons of the law, on certain wretched electors of Cold blow lane. Had hon. Members never heard of a place called Westmoreland? Had they never heard of the elections of that county? Was there any thing like fictitious votes, or undue influence, or bribery, or corruption, on those occasions? Were they not as notorious as the sun at noon-day? and not only so far as Lord Lonsdale was concerned, but were they not practised by many other great proprietors, in every other county in England, whose nominees were now such fastidious censors of the practices at Dublin? And was it not, therefore, he repeated, a monstrous farce, with these crying abuses staring them in the face, to assume, most hypocritically, a character of purity, at the expense of some half dozen poor ignorant electors, from the liberties of Dublin? And who, he again asked, were they, who just now so earnestly called down the vengeance of the law on these miserable Dublin electors? Why, men who, he could easily prove, at the bar of that House, had themselves spent thousands and thousands in purchasing seats there. It was right that the people should know the manner in which those who professed to be their Representatives, were spending their time—that is, the time of the public. They were sent there to expedite, as speedily as was consistent with justice, a measure in which the country was intensely interested, as that to which alone they could look for the means of a sound system of Representation, and thence of good government, and yet, instead of devoting themselves to the consideration of that important measure, they had wasted already six hours that evening, not to say any thing of the many hours squandered away on other occasions, doing neither more nor less than squabbling, whether 2*l*. 7*s*. or 2*l*. 10*s*. had been given, at the last Dublin election, to some dozen poor and ignorant voters, while they, the very judges, too many of them, at least, had themselves paid—bribed was the correct term—thousands, to the "independent" electors, in other "independent" places, for the opportunity of thus evincing their prudish horror of all "undue practices at elections." But the fact was, and it was important, that the public should be acquainted with it, that the whole motion was seized hold of, as a plausible pretext for delaying the progress of the great Reform measure, which alone could afford a chance for the independence and purity of election; and, viewing it in this light, he could not congratulate the hon. member for Cricklade on his new alliance with the anti-reforming party in that House. It might not be, indeed he believed that it was not, the intention of the hon. Member to promote the mischievous views of that party by his present motion, but still, he must say, that his motion had the effect of making him a most useful ally to that party, at least, a most mischievous friend to the great cause of Reform, of which he was an avowed supporter. This was his sincere opinion, the expression of which, he trusted, would not give the hon. Member any uneasiness. Be that as it might, he would repeat, that he considered, and was sure the public would also consider, the present Motion, like the similar one of the hon. member for Wiltshire, with respect to the Liverpool election, as mere Reform farces, serving no purpose but to delay the only real measure of Reform that had, he might say, ever come under the consideration of Parliament. He objected, therefore, to the hon. Member's Motion, as a mere pretext of delay, and he objected to it as a cloak under which public censure might be artfully directed against the present Irish government, whose unpardonable offence in the eyes of the factious of all parties was, that it was based on liberal and comprehensive principles.

Mr. *Benett* said, after what had just fallen from the hon. Member, as to his motives for counting out the House on the Liverpool case, he (Mr. Benett) must be excused for reminding the hon. Gentleman, that the Liverpool case was brought forward on a Wednesday night, when the Reform question was not before the House, and no other business was expected. At present it was the hon. member who caused delay; for the hon. Member, having unnecessarily attacked him, he must claim to be heard on this subject. He was as anxious for the success of the Reform measure, and for its rapid advance, as the hon. Member. He had given way again and again, and no one was more ready to make every sacrifice for its triumph. But now his character was implicated for not having pressed forward the Liverpool question, and he was attacked, not only by the enemies of Reform, which were, of course, his political foes, but also by the friends of Reform, who called themselves his political friends, and particularly by the hon. member for Preston. The hon. Gentleman had said as much as that he had counted out the House, because the motion was likely to delay the Reform Bill, whereas he (Mr. Benett) said, that on the night he brought the Liverpool case forward, it could have produced no such effect. Now, however, it must produce that effect; but he could not help that, nor was it his fault.

Mr. *John Wood:* One word in explanation. I had another reason, as the hon. member for Wiltshire well knows; for I had stated it to him in private, as I now shall in public. I told the hon. Gentleman then, that four out of five years of the last Parliament was fruitlessly consumed in the case of East Retford; and I was afraid that we might have the same course over again, were we to proceed in a similar manner with respect to Liverpool.

Lord *Stormont:* As I was one of the Members present when the House was counted out, I wish to explain how matters were really situated. It was on that day generally known, that Ministers did not want to make a House, but there was one, nevertheless, made, and the hon. member for Wiltshire brought forward his motion. I do not believe that he was any party, however, to the design of not making a House. But what was the consequence? The persons connected with Government were employed in a manner very different from their usual custom; for instead of whipping in, they were whipping out. No less than five-and-twenty Members did I see thus whipped out, and they remained in the lobby until the hon. member for Preston just had a number small enough to move that the House be counted. This is the plain statement of the question, and therefore I appeal to the House, whether Gentlemen on that (the Ministerial) side were not thus the cause of that delay; Gentlemen, too, who throw out aspersions on the Opposition side, that our only object is to cause delay, whenever we object to anything proposed by Government.

Mr. *Spring Rice* wished to call the attention of the House back to the subject before it, with which the topics introduced had no earthly connection. If the House were to proceed, they ought to do so with some attention to principle. He believed, then, that whenever they thought prosecutions necessary, they first determined who were to be prosecuted, and did not give a roving Commission to the Law Officers of the Crown. Now, his hon. friend was not, perhaps, able to grapple with the question precisely, for he did not say, that any one was to be prosecuted; but the hon. Gentleman said, he hoped that the Law Officers would so act as to find out the greater offenders, and thus, without indicating any particular offenders, the House would allow the Law Officers to permit one class of guilty to escape, and yet punish the other. This was without precedent, and he recommended to his hon. friend (Mr. Robert Gordon) to reconsider his Resolution.

Sir *Robert Inglis* objected to the Resotion as amended, which would produce only a lame and impotent conclusion. The Report had stated, that there had been undue influence and fictitious voters, and the House had agreed to that this day. It was further stated, that there had been bribery, and his objection to the Attorney General's amendment was, that it left the cases of those who gave bribes, and those who took them, untouched. Under these circumstances, he thought the House would not do its duty if it did not agree to the motion of the hon. member for Cricklade. The reason given for objecting to the whole proceeding was extraordinary—namely, that bribery was so very common. But he would ask the hon. Alderman who said this, was not smuggling common? and ought a detected smuggler, therefore, to escape, because the crime was general?

Mr. *O'Connell:* I beg leave to submit to the hon. Baronet's candour, whether the tribunal to try for the crime of smuggling ought to consist of smugglers? There is a large number of that class in the House, who have been to various parts of England and Scotland with thousands of pounds, have been returned for boroughs there, and so bought the right of sitting in judgment here; are they not smugglers? I shall say but very little on the subject, and I only hope that the Resolution will be wide enough to extend to all the criminal parties at the late election; for if so, we shall have abundant evidence to prove bribery at both sides. Before the Committee, evidence could only be given on one side, and I hope now, as the House is asked to do justice, that it will do it on all sides. Fictitious voters are spoken of and blamed; but is there any one who knows the city of Dublin, and is not aware that 4,000 of these fictitious electors were voted into that city on one day? To be sure, of this number only 1,800 fell to the share of the Board of Aldermen, and most of these were persons who never before saw Dublin—people from the county of Fermanagh, and God knows where else. But why stop the great measure which should put an end to all these practices? If this Debate had not been raised, we should by this time have made great progress to that result: if we had not had our attention turned to fly-catching, when our object should have been to crush the vulture. A sneer, too, has been cast at the Reform candidates. I know one of them: he had no ambition for a seat in this House, but he lent his name, and his high character, and sacrificed large professional emoluments, in order to do a great good. I defy any man to find a blot on the character of Louis Perrin—a purer and a higher character there never was. It is asked, where was the money found? My answer is ready. There were subscriptions at both sides, and there was a large one of which he knew nothing; at the other side there was a large one, and that is continued. But that one shilling was spent by him, I utterly deny; and if it came to his knowledge that one vote for him was obtained by bribery, there is not a mortal who would more readily spurn it with scorn. I have no motive but that of truth for speaking thus of my friend, and I will abandon his character if there be any one man from Ireland who will say that he believes otherwise of Mr. Perrin. I hope that for the rest of the night we may get on in the best way we can. I mean, that we may get on with the real Reform Bill. With respect to the right hon. member for Montgomeryshire, I certainly could not withhold a smile at his zeal, which, when it caught a criminal, would immediately punish him. But, after his thirty years' labour in this way, how many has he caught, and has he satisfied the people of England? The answer is easy. What are they now looking for? What do they demand, notwithstanding the right hon. Gentleman's stoical determination to punish criminals when the curtain is drawn up? But how seldom is it drawn up? and how can the people be satisfied while Corfe Castle, and other pure boroughs, where the electors never give a vote but for the man of their choice, or rather for the man who is chosen for them, are allowed to remain? I say nothing as yet; but let the roving Commission be given to the Law Officers, I promise that they shall be abundantly supplied with evidence. Let us now, however, go to the great work which will make bribery almost impracticable. I do not say impossible; for human nature will, unfortunately, not permit that; but I do say, that the effect which will result from the successful motion of the noble member for Buckinghamshire, which has severed the tenure from the vote, will make it imperative on the people of England to protect themselves by the Ballot, and then there will be an end of bribery.

Mr. *Lowther* said, he must utterly deny, that his noble relative who had been alluded to (Lord Lonsdale) had created votes, and driven freeholders to the poll, as mentioned by the hon. member for Preston. If he had so conducted himself, he would have been liable to be impeached. The votes the hon. Member alluded to were legal votes; and the practice to which he alluded had been begun by the opposite party.

Sir *Robert Peel* wished to make an observation directed only to the order and form of the proceedings of the House—a matter of consequence when they were about to direct legal proceedings to be taken—and he would not be seduced by the hon. and learned member for Kerry, who complained of delay, to enter either upon the effect of the noble member for Buckinghamshire's amendment, or any other subject not connected with the question before the House. The simple matter was this:—The House had come to a resolution, that the system of bribery and fictitious voters at the Dublin election was a direct infraction of the law of the land. It was too late to consider that now, as it had passed; and it was proposed to follow it up with another—indeed, with two. One was to the effect "that the Law Officers of the Crown in Ireland be directed to bring to justice such persons as were guilty of bribing voters." An amendment was proposed, to leave out the last part of the resolution, and to substitute for it words to this effect:—"such persons as were concerned in illegal and unconstitutional practices." An objection had been raised at the other side, that it was not the practice of the

House to give vague directions, but to select the persons to be brought to justice. He did not believe that to be correct; for it would be recollected, that, on an important occasion, the House had voted an Address to the Crown, after the riots of 1780, in very general terms. It was very vague, and only requested that his Majesty would direct the Law Officers of the Crown to prosecute any persons who were engaged in or instigated those riots. It appeared to him (Sir Robert Peel), however, that there was a considerable objection to the wording of the Resolution. The hon. and learned Civilian wished it to be so shaped as desiring the Law Officers to prosecute all such persons who might have been guilty of illegal and unconstitutional practices. It was too much to assume the guilt of any individual. Every prosecutor, it was true, might assume that, and the Attorney General, no doubt, did so in every prosecution; but the House of Commons ought not to do anything, or use any expression, which might prejudice any parties; and he would, therefore, rather see the word "charged" substituted for "guilty." Now, if they had voted, that the system pursued was an infraction of the law, surely it was too little that one class only should be punished, and it would be better if all who were charged with this infraction were directed to be prosecuted. In the first place, he thought it would be better to use the common phrase "prosecute" than "bring to justice;" and he would, therefore, suggest, that the wording be altered thus—"That the Law Officers of the Crown be directed to prosecute all such persons as shall appear liable to be prosecuted for an infraction of the law."

Lord *Althorp* said, as it appeared to him, it did not follow from the terms of the first Resolution that the Attorney General should be called upon to prosecute. Whether he should or should not, constituted an independent question, and upon it the House was then about to decide. Every Gentleman agreed that there should be some prosecution, and also that there should be some distinction or degree of offence observed in its being instituted. He believed he might add, that all admitted that the corrupter—the tenderer of the bribe to an ignorant and poor elector—was a more fitting subject for the vengeance of the law than the corrupted, or receiver of the bribe. It was with this view that the hon. and learned Attorney General had framed his resolution, and that he expected the House would sanction it. In supporting it, he saw nothing inconsistent with their duty in their refusing to prosecute eertain parties against whom corrupt practices had been alleged, and selecting the more guilty persons, who were the cause, or original instruments, in those practices. The ends of justice would be more promoted by their punishing the briber than the poor bribee; and it would be better to select persons "guilty," instead of "charged" with bribery, contrary to the suggestion of the right hon. Baronet in the latter case. He conceived, that by adopting the hon. Baronet's suggestion, too much discretion would be placed in the hands of the Law Officers, and the door would be opened to unnecessary delay. Then, with respect to the other offences, of which the report of the Committee made mention, as having been committed at the Dublin election, he thought it better that the resolution of the House should be confined to such as, being positively illegal, admitted of a legal remedy, leaving the mere moral offences, for which there was no legal remedy, out of consideration at present.

Sir *Robert Peel* maintained, that, if the noble Lord acted on this moral view of the case, perjury might pass unpunished, and yet it ranked in the eyes of most people much more as a moral outrage, than the illegal practices of giving or receiving bribes.

Sir *John Newport* said, there was this difference—that perjury, being an illegal offence, admitted of a legal remedy, while the practice of making fictitious votes, to which his noble friend chiefly alluded, was a moral, but not a legal offence.

Sir *Charles Wetherell* thought, that as perjury called for punishment, at least as loudly in the eye of law and morals as bribery, it should have been included in the hon. Attorney General's motion.

The *Attorney General* did not include perjury, because his main object being the punishment of the richer and comparatively enlightened corrupter at elections, and not the deluded tool, a victim of his malpractices; bribery was the only crime which had been alleged against these more guilty parties.

Mr. *C. W. Wynn* should have preferred an inquiry at the Bar of the House into the practices, agents, &c., at the Dublin election, to a hasty resolution calling upon the Law Officers of the Crown to prosecute, as, besides its being more conformable with the established usage of Parliament, it would enable the hon. member for Kerry to redeem his pledge to prove bribery and corruption against the petitioning parties. It was no objection to such an inquiry, that a more extensive plan of Reform was then under consideration, because that plan contained not a single clause with reference to bribery and corruption at elections, though it went to extend the franchise to that class of persons which the experience of elections showed was, of all others, the most obnoxious to the charge of bribery and corruption.

Mr. *Hunt* would not be prevented by the taunts of his hon. colleague, that all who took a part in the present discussion did so for the purpose of delaying the Reform Bill, from saying a few words on the Resolutions before the House. Those taunts he held in the greatest contempt. They came with an ill grace from his hon. colleague, after he had been himself fully held up to the censure of the House, for having interposed every obstacle of delay in his power, in the way of an important discussion. He denied the imputation implied in his hon. colleague's taunt. He was not to be diverted by interruption; he had risen to put the House a little to rights. He had been a Member of the Committee, on the Report of which the Resolutions before the House were founded, and he was convinced, that it would be folly to prosecute for perjury, as he was confident that no Jury in Ireland would find a verdict of guilty against the parties implicated in it at the late Dublin election. He was also convinced, that the parties themselves were unconscious of their crime, and regarded it as a mere every-day practice at Irish elections. They were cautioned by the Committee not to commit themselves, and yet they had, with great ingenuousness, owned, some to having given, others to having received, a bribe. He hoped, therefore, they would not be prosecuted on the charge of perjury. While he said this, he did not mean that the House should stop where it was, and not prosecute at all. If they did so, they should be laughed to scorn by the people of England—not the less so if their pretext was, that they wished to pass on to the consideration of a measure which, he was sure, when passed into a law, would be productive of more bribery and corruption than was ever known or heard of at elections in England.

The House divided on the amendment moved by the Attorney General, corrected as follows:—"That the Law Officers of the Crown be directed to institute prosecutions against the individuals who were charged with having given bribes to certain electors for the city of Dublin, during the late election." Ayes 224; Noes 147—Majority 77.

List of the Ayes.

Adam, Admiral C.
Acheson, Viscount
Althorp, Viscount
Anson, Hon. G.
Atherley, A.
Bainbridge, E. T.
Barnett, C. J.
Bayntun, Capt. S. A.
Belgrave, Earl of
Benett, J.
Bentinck, Lord G.
Berkeley, Captain
Bernal, R.
Bernard, T.
Blackney, W.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Bodkin, John J.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Brabazon, Viscount
Brougham, J.
Brown, J.
Browne, D.
Bourke, Sir J.
Buller, J. W.
Bulwer, E. L.
Bulwer, H. L.
Burdett, Sir F.
Burton, Henry
Buxton, Thomas F.
Byng, George
Byng, G. S.
Calvert, C.
Callaghan, D.
Calley, Thomas
Campbell, J.
Canning, Sir S.
Cavendish, C. C.
Cavendish, W.
Chaytor, W. R. C.
Crampton, P. C.
Chichester, J. B. P.
Chapman, M. L.
Clifford, Sir A.
Clive, E. B.
Colborne, N. W. R.
Cradock, Colonel
Creevey, T.
Curteis, H. B.
Davies, Col.
Denison, J. E.
Dixon, J.
Duncannon, Viscount
Dundas, C.
Dundas, Hon. Thomas
Dundas, Hn. Sir R. L.
Dundas, Hon. J. C.
Easthope, J.
Ebrington, Viscount
Ellis, W.
Evans, Col. De Lacy
Evans, W. B.
Evans, W.
Fergusson, Sir R.
Ferguson, R.
Ferguson, R. C.
Folkes, Sir W.
Forbes, Sir C.
Fox, Lieut.-Col.
French, A.
Gillon, W. D.
Gisborne, T.
Godson, R.
Graham, Sir S.
Grant, Right Hon. C.
Grant, Right Hon. R.
Grosvenor, Rt. Hn. R.
Guise, Sir B. W.
Halse, J.
Handley, W. F.
Harcourt, G. V.
Harvey, D. W.
Hawkins, J. H.
Heneage, G. F.
Heron, Sir R.
Heywood, B.
Hill, Lord G. A.
Hodges, T. L.
Hodgson, John
Horne, Sir W.
Host, Sir J.
Hoskins, K.
Howard, H.
Howard, P. H.

Hudson, T.
Hughes, W. H.
Hughes, Col. W. L.
Hume, J.
Hutchinson, J. H.
James, W.
Jeffrey, Rt. Hon. F.
Jephson, C. D. O.
Jerningham, Hn.H. V.
Johnston, A.
Johnstone, Sir J. V.
Killeen, Lord
King, E. B.
King, Hon. R.
Knight, H. G.
Knox, Hon. Col.
Labouchere, H.
Lamb, Hon. G.
Lambert, H.
Lambert, J. S.
Leader, N. P.
Lee, J. L. H.
Lefevre, C. S.
Lemon, Sir C.
Lennox, Lord J. G.
Lennox, Lord W.
Lester, B.
Lloyd, Sir E. P.
Loch, J.
Maberly, Col.
Maberly, J.
Macdonald, Sir J.
M'Namara, W.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Martin, John
Maule, Hon. W. R.
Mayhew, W.
Milbank, M.
Mildmay, P. St. J.
Mills, J.
Milton, Lord
Moreton, Hon. H.
Morpeth, Viscount
Mostyn, E. M. L.
Mullins, F. W.
Musgrave, Sir R.
Newport, Sir J.
Norton, C. F.
Nowell, A.
Nugent, Lord
O'Connell, D.
O'Conor, Don
O'Ferrall, R. M.
O'Grady, Hon. Col.
Ord, W.
Osborne, Lord F. G.
Paget, T.
Palmer, C. F.
Palmer, General
Parnell, Sir H.
Payne, Sir P.
Pelham, Hon. C. A.
Pendarvis, E. W. W.
Penlease, J. S.
Penrhyn, E.
Petit, L. H.
Petre, Hon. E.
Philips, G. R.
Philipps, C. M.
Pepys, C. C.
Ponsonby, Hon. G.
Power, R.
Poyntz, W. S.
Price, Sir R.
Protheroe, E.
Pryse, P.
Ramsbottom, J.
Rice, Hon. T. S.
Rider, T.
Robinson, Sir G.
Rooper, J. B.
Russell, Lord J.
Russell, R. G.
Russell, C.
Ramsden, J. C.
Ruthven, E. S.
Sanford, E. A.
Scott, Sir E. D.
Sheil, R. L.
Sinclair, G.
Skipwith, Sir G.
Smith, John A.
Smith, John
Smith, R. V.
Smith, M. T.
Stanhope, Captain
Stanley, E. J.
Stanley, Right Hon. E.
Stanley, Lord
Stephenson, H. F.
Strickland, G.
Strutt, E.
Stuart, Lord P. J.
Stuart, Lord D. C.
Stewart, E.
Talbot, C. R. M.
Thicknesse, R.
Throckmorton, R. G.
Torrens, Colonel
Townsend, Lord C.
Tynte, C. K. V.
Tyrrell, Charles
Uxbridge, Earl of
Vere, J. J. H.
Vernon, G. H.
Villiers, T. H.
Vincent, Sir F.
Waithman, Ald.
Walker, C. A.
Warre, J. A.
Webb, Colonel
Wellesley, W. T. L.
Westenra, Hon. H.
Weyland, Major
White, Colonel
Whitmore, W. W.
Wilbraham, G.
Wilde, T.
Wilks, J.
Williams, W. A.
Williams, Sir J. H.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Ald.
Wood, J.
Wrottesley, Sir J.
Wyse, T.

TELLERS.

Denman, Sir T.
Lushington, Dr.

The next Resolution proposed by Mr. Robert Gordon, read as follows, viz.—"That it appears to this Committee, that certain individuals holding official situations in Ireland, or considered to be connected with the Irish government, did, at the last election for the City of Dublin, in contravention of the resolution of the House of Commons use undue influence in favour of, and with a view to aid and assist in the election of the sitting Members of the city of Dublin."

Mr. *Stanley* said, that the time had at length arrived, in which, without mixing up with the vote on this resolution any considerations connected with the bribery said to have prevailed at the last election for the city of Dublin, the House could enter upon the discussion of the conduct pursued by the government of Ireland during that election; conduct respecting which this one thing was clear, that strong disapprobation of it was conveyed in the resolution then before the House. The hon. Member who had moved that resolution, had stated, that he thought, after reading the evidence taken before the Committee, that the right hon. the Secretary for Ireland, would be the only member in the House who would think that there was any thing extraordinary in the expressions of that resolution. Notwithstanding that declaration, he would confess that it did still appear to him extraordinary, that a report of a Committee of the House of Commons, appointed to try the merits of an election petition, should, when it intended to convey censure, be so ambiguous in its wording. His belief was, that the language of the resolution adopted by the Committee, was language which the House would not receive as the ground of censure, or imputation on the Government—namely, "That it appears to this Committee, that certain individuals holding official situations in Ireland, or considered to be connected with the Irish Government, did at the last election for the city of Dublin, in contravention of the resolutions of the House of Commons, use undue influence in favour of, and with a view to aid and assist in the election and return of, the sitting members for the city of Dublin." Now, if this report contained any ambiguity, and it was impossible to contend that there was not ambiguity in it—indeed, on the part of the Committee, it looked almost like intentional ambiguity —it seemed only natural to infer, that it arose from a feeling in the Committee, that it was inexpedient to take further proceedings upon this transaction, and that it had therefore refused to designate the individuals in the Irish government whom it deemed culpable. He was, therefore, not a little surprised to find, that the ambiguity of which he complained in the resolutions of the Committee, was not less apparent in the resolutions which the hon. Member, with great pain to himself, as he now stated, proposed as a vote of censure on the Irish government. The hon. Member advanced in his progress to an ambiguity far greater than his previous ambiguity, for he only said, in his present resolution, that official influence was exercised in favour of the sitting candidates. Having heard the charges which the hon. Member brought forward, and having also listened to his summing-up of the evidence on this occasion, he (Mr. Stanley) was still in a state of doubt, whether, in rising to defend those whom the resolution attacked, he knew who those individuals were. The hon. Member had said, that he did not intend to cast any blame upon the noble Marquis at the head of the Irish government, as he was a nobleman whom he (Mr. Gordon) highly esteemed and venerated. But what said another hon. Member who had served on the same Committee? "I do mean to throw censure on the Marquis of Anglesey, by this resolution." What then was the consequence? Here was a resolution founded on a resolution of a Committee, appointed to decide on an election petition. And here he must observe, that the members of the Committee had got themselves into this difficulty—that they had said, that official influence had been used by some persons at the last election, though they could not tell by whom. Having got themselves into that difficulty, and there being a strong opinion among them that no further proceedings ought to be had on that part of the case, two of its Members had come down to the House, of whom one called upon the House to affirm a resolution which he interpreted in one sense, and the other called upon them to affirm the same resolution, which he interpreted in a very different sense. Thus it was, that in discussing the resolution then before the House, he knew not who were the individuals he was called upon to defend. One thing, however, was clear, that the object of the resolution was to convey censure generally, because no person was individually attacked in the existing Government, on the ground of its having interfered unduly in the last election—a charge, of which no Irish government ever stood more clear among all the governments which had been its predecessors, than the present. ["*Hear, hear,*" *from the Opposition, and laughter.*] He asserted such to be the fact; and if hon. Gentlemen meant by their sneering cheers to deny it, he was ready, if they liked, to prove it. The hon. Member who moved this resolution had stated, that the present was a novel proceeding on the part of the Committee, and had admitted that this was the first time in which an Election Committee had called upon the House to affirm a resolution, stating undue influence on the part of the Government in an election. If, then, the proceeding was extraordinary, as he really believed it to be, he trusted that the House would bear with him whilst he went on to show that there were no grounds to justify the House in consenting to such a resolution. He objected, in the first place, to the right of the Committee to go into the question of undue interference: and he did this upon very strong grounds, quite independent of all personal considerations for the Irish government. He maintained, that the question of undue interference in elections on the part of the Government, did not, even when proved, vitiate the return of the Members elected. He defied any Member of that House to point out a single case in which a return had been vitiated upon that ground. It was distinctly laid down in *Male* on Elections, that undue interference would not defeat an election; and in the case of the Helston election petition, decided in 1813, the Committee came to a resolution, that corrupt practices had taken place between the Corporation of that borough, and a certain peer, whose name was mentioned. It was proved upon that occasion, that the candidates went down to the Corporation with a letter of recommendation from this Peer in their pockets; and yet the Committee had decided, that the return was not on that account bad. If this were the case, and if a return could not be defeated by the proof of undue interference, then he said, that the Committee ought not to examine into the question of undue interference. He would state the reason why. It might be said, that the charge of undue influence on the part of the Government, was, in this particular case, made part of the petition complaining of the return, and that the Committee was therefore appointed to try it. But the words of the Grenville Act proved beyond all dispute, that the matter into which the Committee was appointed to inquire, was only the merits of the election and of the return. The words of the oath ran thus, "To inquire into the merits of the election and return." This was a very proper limitation of the inquiry of the Committee; for if the Committee were to push their inquiry further, see the length to which the doctrine would go. Any man who had a private grievance, or an imaginary private grievance, to complain of, would only find it necessary to have it inserted in an election petition, and then the Committee must inquire into it, no matter whether it had reference to the merits of the election or not. Besides, what were the other provisions of the Act? In order that the conduct of indifferent parties might not be called in question, the Act provided, that the sitting Members, the petitioners, and the returning officer, should be the only parties with a right to appear before the Committee; and their right to appear was founded upon this—that it was their conduct and their claims that were alone contested. If the Committee examined further, they would proceed to a point equally irreconcileable with law and with justice; for how could it be reconcileable with either, that a party should be condemned on the evidence of witnesses of whom he knew nothing, and whom he was not present to cross-examine or to contradict, and upon charges of which he knew nothing till he was declared guilty of them? He did not mean to say, that cases might not arise in which a Committee would have a right to inquire into the question of undue interference. But what had been the course pursued in the present instance? On the very first day of the Committee's sitting, the Counsel for the petitioners stated, that he did not intend to go into a scrutiny, but to proceed altogether upon the allegations of bribery and undue influence. Now, if the learned Counsel had gone into a scrutiny, and into the allegation of undue influence, the inquiry as to who had exercised that undue influence might have come in incidentally, as the exercise of that influence might have affected the vote of the individual against which the scrutiny was directed. But in this case, no vote was objected to before the Committee; and the first witness examined by them, was an individual who had voted for the petitioners, and against whose vote not a shadow of an objection was raised. In such a case, he contended that it would be a great hardship if the Committee were permitted to enter into the examination of charges made behind the backs of the parties, accused upon evidence which they could not cross-examine, and upon points not affecting the merits of the election. The Committee certainly had entered into the examination of such charges; and the House was placed in a situation of some difficulty in arguing upon them, inasmuch as they had been imperfectly gone into. Even if the House should decide to go into them on the present occasion, it would be found that there was not such a case made out against any party, as would justify the House in coming to a vote of censure. The first witness in the case was a man of the name of Long, the material part of whose evidence was this:—"What did Captain Hart say to you on the subject of the election?—He said, he came to me on the subject of the election; I asked him what he had to say? He said he had been directed to come to me by the Lord Lieutenant, and that his Excellency had directed him to request my vote for the Reform candidates at the election; I asked if I was to understand he came to me officially, and he said I was." Here he must remark, in the first place, that it was taken for granted, that Captain Hart filled a responsible situation in the household of the Lord Lieutenant. But it was proved, that at the time in question, Captain Hart filled no official situation in that household. He would not, however, insist strongly on this part of the case, for it was not denied that the Lord Lieutenant had expressed his wishes strongly to Captain Hart, on the subject of the late election. If any Gentleman would look at the state of the country at that moment, at the question which was then agitating it, and at the situation in which Government was placed, he must be blind—nay, he must be mad, or more than mad—if he could shut his eyes to the fact, that Government did entertain very strong wishes on that point. Mr. Long went on to state :—" I said I was sorry I could not comply with the request, inasmuch as] I was very much interested for a particular friend of mine, who was one of the candidates, Mr. Shaw. He said, that he was sorry that I was not able to do as required, inasmuch, as if I did not, he had to be the bearer of a disagreeable message; he said, that he was ordered to tell me, that if I did not vote as he required, I should be discontinued coachmaker to his Excellency. I asked him if I was to understand, that I was thenceforward to be discontinued ; he said, yes, I was, and he took his departure, first having stated that it was not to me alone he was to go, but to all the tradespeople, and he shewed me a list, which I did not read ; he said it was a list of the tradespeople he was to go to, according to orders." The substance of this conversation, however, being communicated the next day to the Marquis of Anglesey, that excellent nobleman, with a promptitude that did him honour, immediately issued an emphatic contradiction to the report that he had ever authorized any such instructions. Sir John Byng, in the course of his examination, gave the following evidence on the subject :—" In consequence of something you heard respecting the interference of the Lord Lieutenant, what did you do? —I went both to Mr. Long and to Lord Anglesey. When I went to Lord Anglesey, I told him there were reports about the town, that some of the tradespeople he employed had been threatened with losing his custom if they voted against the Government candidate. I told him I thought it right to tell him so, and that I either had been, or was going, to Mr. Long, to tell him not to mind any such representations, for I was sure that he, Lord Anglesey, could not mean it. He said he was extremely obliged to me. He said, 'it is too bad these statements should be going about, therefore I have committed to paper what my sentiments are; here is the paper.' I know it was in his hand-writing; that I remember perfectly well, I know his hand-writing so well. He said, 'I am very glad you are going to see Mr. Long; I wish you would show him this paper,' and I could almost swear he said to make it public, to give publicity to the paper. I took it, and shortly after I got home, Mr. Long, for whom I left a message, called upon me. I said, Long, I have troubled you to come ; I called on you, and as you were not at home, I troubled you to come to me ; I did not like the idea, that it should be said for a moment that you should lose Lord Anglesey's custom ; I should be very sorry if you did. I have had some conversation with Lord Anglesey, and I can pledge you my word, that vote as you like, you will neither lose his custom nor mine. He expressed himself obliged to me, and gave me his reasons for wishing to vote for what were called the Opposition candidates ; I told him I thought them very good reasons ; I said it did not matter ; I said, Do not mind what anybody tells you, vote as you intended ; and I believe I showed him that paper ; indeed, he tells me I did so. I am confirmed in saying so." This was, on the part of Lord Anglesey, a frank and manly course of proceeding, which it well befitted so high-minded a man to follow on the first impulse, as it appeared he actually had ; yet, but for this paper, there would not have been even the shadow of a charge against his Excellency, according to the hon. Gentleman's own showing. He would ask the House, how a man of Lord Anglesey's character could possibly reconcile it to his own feelings, that reports of so malignant a nature should remain afloat uncontradicted ? He had, in fact, no alternative, and he accordingly wrote the document in question, which Sir John Byng immediately took to Mr. Long, for the purpose of showing him, that let him pursue what line he might, he should be deprived of no advantage which he then possessed, through the interference of Government. It referred to the opinions of the Administration as matter of public notoriety, but added, that any threat which might have been held out in the event of refusal to support those opinions, by the support of the Reform candidates, was equally unauthorised and unfounded. But how did Mr. Long repay this straightforward and honourable dealing, which no man, however upright, need have been ashamed to avow ? Why, for two or three days afterwards, he took no notice whatever of the communication, until he happened to have an accidental interview with one of the Opposition candidates, who informed him, that it might be made the means of bringing the Government into trouble and embarrassment. Then, indeed, in a spirit worthy of the meanest, and lowest, and most pettifogging Attorney, did he seize on the supposed opportunity afforded him by the generous good feeling of Lord Anglesey himself, to bring the noble Marquis technically within the meaning of the resolution of the House of Commons. The communication had been made through Sir John Byng on Wednesday, and it was not until the Saturday following, that he undertook to specify the terms of the letter, which he did not profess to do verbatim, but merely expressed his recollection of their substance. He confessed he had kept no copy of it. This was his evidence:—"Can you tell the contents to the Committee?—Not verbatim, I cannot; I can tell the Committee the purport of it and the effect. As nearly as you can.—It commenced by stating Lord Anglesey desired it to be communicated to several persons employed by him, that their votes are requested for the Reform candidates at the city of Dublin election. With respect to persons holding offices under Government, or receiving the pay of Government, the case is different, their votes are expected; the first was requested, the other was expected." Now, even admitting that the letter had been written, and that Mr. Long's recollection of the contents was exact, still some difference might exist between the document itself and the memorandum made by Mr. Long, and put in evidence before the Committee. Some points might have escaped his recollection in the interval between the perusal of the letter by Sir John Byng, and the day when he took his memorandum, and he acknowledged himself, that it was not a verbatim copy, but a memorandum of the purport of the letter, which he then submitted to the Committee. The memorandum stated, that the letter commenced by saying, that Lord Anglesey requested the vote for the Reform candidate, from the tradesmen who were employed by him. Now, it must be recollected, that this was a memorandum, and not a circular letter, and it was only read to Mr. Long, in order that no misunderstanding might exist in his mind on the subject of the consequences of his vote. [Mr. *Robert Gordon:* Lord Anglesey desired Sir John Byng to show Mr. Long this written communication.] But when did Lord Anglesey desire Sir John to show Mr. Long this paper? Why, at the very moment that these scandalous reports were prevalent in Dublin, that he would cease to employ all tradesmen who voted against the Reform candidate. "No," said Lord Anglesey, "I will not remain under this stigma. There is a memorandum of my intentions and of my wishes; you may show it where you please; my wishes on the subject of the election are well known, but I will not be accused of an intention to turn off my tradespeople for not voting as I may wish them." That was the time when Lord Anglesey desired Sir John Byng to give publicity to his sentiments, and he might ask, was not that the properest period for making them public? But Mr. Long had omitted to insert in his memorandum an observation contained in the document, that the tradesmen were not looked upon by Lord Anglesey as partisans against the Government. It was not convenient to Mr. Long to recollect this somewhat striking remark, and yet it was upon Mr. Long's recollection of this document, that the House was that night called upon to proceed against Lord Anglesey. It might be inquired who Mr. Long was? and the answer was, that he is a person who, by favour of some of the household of Lord Anglesey, had obtained a portion of that nobleman's employment, in his trade of coachmaker. He had not thought it beneath him to intrigue amongst the household of the Lord Lieutenant, in order to obtain a larger portion of the custom of Lord Anglesey than he then enjoyed, and to endeavour to have the business of another transferred to him. Mr. Long confessed himself to have been a warm partisan against Lord Anglesey and the Government in the election; and, amongst other means of opposition, he had not scrupled to avail himself of the memorandum which Lord Anglesey had put into his hand for his own individual satisfaction. The next evidence which was adduced in support of this charge was that of Mr. Kempson, who stated, that he thought Reform was wanted; but, though secretly a reformer, he could not support the Reform candidates, because the Corporation were the ascendancy, as he termed them —meaning, probably, the most powerful party in the city. The memorandum which formed the subject of complaint was also shown or communicated to him; but he said, he was not to be influenced by any arguments which Mr. Hart might urge, to induce him to vote for the Government candidate, as he had in the meantime already promised his vote to the Lord Mayor; and he professed to be glad of an opportunity to urge this excuse to the Corporation, by saying that he was not able to vote for their candidate, having already promised his vote to the Lord Mayor. He acknowleded also, that Captain Hart had not attempted to exercise any influence over him whatever, and added, that his promise to him was entirely of a voluntary nature. Now, these two cases were the only ones where—let every strain be put upon the evidence—the wishes of the Lord Lieutenant had been signified to individuals in that mode. And because Lord Anglesey had put those wishes on paper, he was to be rendered subject to the resolution of the Committee first, and, as a necessary consequence, of the House subsequently, should they think this paltry matter worth proceeding in. He must express his congratulations to the hon. Member who had brought it forward, in having been able so well to disguise the concern he must have felt at having to make so strong a charge, and to express a supposition, that he had done violence to his feelings in having veiled them so well. With respect to the evidence of Mr. Bassegio, even the hon. Member himself had not laid any great stress upon that, and, indeed, seemed to have mentioned the name of that person for no other purpose but to raise a laugh, which might give some relief to the painful feelings which he must have entertained, as a supporter of Reform, in bringing forward such a motion. He would then refer to the connexion with Baron Twyll, though he did not well know whether to deal with him as an agent of the Marquis of Anglesey, or a private individual; and here he must say, that when the hon. Member (Mr. Robert Gordon) had expressed it to be his opinion, that it was a matter of indifference to the House whether it was Lord Anglesey, or Baron Twyll, who were implicated in this matter, for he must be allowed to say, that it was not such an indifferent thing, as to either Baron Twyll or Lord Anglesey, as the hon. Member supposed; neither was it a matter of indifference to him as to who was the party implicated, for he was the person whose unpleasant, though imperious duty it was, to vindicate the Government from the charge of using undue influence at the Dublin election. He was aware of this difficulty with respect to the case against Baron Twyll, and that no conversation, which was said to have passed between Baron Twyll and any other individual, could, by any possibility, implicate Lord Anglesey, neither could Baron Twyll be looked upon as Lord Anglesey's agent; nor the latter as responsible for his acts. It was certainly true, that Baron Twyll was Lord Anglesey's Private Secretary; but then he himself had friends and connexions in Dublin—he himself was an elector of Dublin; he had been in that city some years before, and was the friend of one of the candidates, and he had a perfect right to canvass for that candidate, whether he was connected with Government or not. There were two witnesses as to the conduct of Baron Twyll in this affair; the first was a Mr. Tindal, who had had the misfortune to be a bankrupt wine-merchant, and who was appointed by the Corporation to the situation he then held. Baron Twyll wrote a short note to Mr. Tindal, requesting to see him for a few minutes at the Castle; and a charge against Baron Twyll was founded on a vague statement of a conversation held by Mr. Tindal with that gentleman, and with another individual. The entire charge, so far as Baron Twyll was concerned, exclusively rested on vague statements of conversations, from time to time, between the Baron and certain of the electors, and Mr. Tindal amongst the number. The force of such evidence, the House must be aware, almost wholly depended on tone, manner, and other colloquial etceteras, which might either be misrepresented, or very inadequately conveyed, just at the pleasure of the relator, without any very material literal deviation from the truth. In reference to the facts adduced before the Committee, he had received a communication from Baron Twyll, which contained an indignant disclaimer of the interpretation put upon his expressions, as addressed to Mr. Tindal. The testimony to which he would first refer, was that of Mr. Tindal, who, on being applied to by Baron Twyll, made answer, that he was anxious to obey the Government, but having been lately elected to a situation which he held by the Corporation, he felt unwilling to vote against their interest, by supporting the Reform candidates. He then desired to have a statement of his case laid before the Lord Lieutenant, in order that he might be permitted to remain neuter; but to this proposition Baron Twyll, of course, could not accede, for his lips must have been sealed upon such a subject, in presence of the Lord Lieutenant. The evidence of Mr. George Studdart, another police Magistrate, was much to the same effect. He also avowed, that he had been appointed to a post by the Corporation, which exercised considerable patronage in aid of the cause of anti-Reform, and therefore, were he to vote in support of the Reform candidates, he should be acting in a way adverse to the interests of his friends and patrons—the corporators. To this Baron Twyll rejoined, that if he was appointed by the Corporation, he should likewise recollect, that he was paid by Government. The witness was asked, whether such were the exact words used by Baron Twyll? He replied, that they were, as exactly as he could recall them. This speech might, very possibly, have been made by Baron Twyll; but still no charge could be founded on it against the Government. The reply amounted in effect to no more than this; since he was drawn one way by the claims of the Corporation, and another by those of Government, he ought to consider himself bound to neither, but free to choose according to his own discretion. The witness added, that had he voted against the Reform candidates, he did not imagine that Lord Anglesey would have dismissed him, although he owned he should not desire to trust to such an experiment. The right hon. Gentleman then noticed the independent votes of two Barristers, whose places were held at the will of the Government, but being of firmer minds than the preceding witness, they voted against the reform candidate; and had they, he might ask, experienced any ill effects from their vote? He would, at that stage of his observations, take the opportunity of reading to the House an extract from the orders to the constabulary force of Leinster, dated the 4th of May last, relative to the election then about to occur. The Lord Lieutenant thereby gave directions, that all persons employed in the constabulary force, who possessed the right of voting, should be suffered to go and give their votes; but they were strongly reminded, that, in being permitted to do so, they were to abstain strictly from becoming partisans to any candidate whatever at the elections; and this order was the only one which had been issued by Government on that occasion. The statement to which he was now about to advert, with respect to the case of Baron Twyll, was certainly the most serious of all the charges; but it was so incredible, and so contradictory, that, on the unsupported testimony of a conversation, said to have been held with Baron Twyll, he could not credit it. The witness was Mr. Oultman, the head Coal-meter at Dublin. He received a letter from Baron Twyll, conveying that gentleman's compliments, and an expression that he would be glad to see him at the Castle at three o'clock. Mr. Oultman went to the Castle, and Baron Twyll then asked him for his own vote, and for his influence with the Coal-meters of Dublin as a body. Mr. Oultman stated, that the Baron, during this conversation, represented the Corporation and Sir Abraham Bradley King to be with the Government in the election; and this statement was so utterly incredible, that it was not possible for Baron Twyll to have uttered so absurd a statement to one who, from his position in the city, must have known it to be untrue. This circumstance alone must throw discredit over the evidence of this witness. Some observation was made, that if Baron Twyll had promised to put the Coal-meters of Dublin on a level, in point of advantages, with those of London, nothing more would have been heard of the conversation between him and Mr. Oultman; and the Committee asked that person, if the Company of Coal-meters had suffered, in consequence of having voted in the way they did? To which it was replied, that the very morning many of the Meters had voted for Shaw and Moore, the warrants were withdrawn. Now, he must remark, that this withdrawal of the warrants was not a partial proceeding, but was general to all the Meters, as well those who had voted with, as those who had sided against Government; and next, he must say, that the repeal of the duty on coals had come into operation on that very day, and that there being nothing left for these Coal-meters to do, their occupation being thus annihilated, the warrants were, as a matter of course, withheld. Besides, it was a matter altogether under the control of the Board of Customs, acting under the directions of the Government on this side of the water, and one in which the authority at the Castle had nothing to do. So much for the cases against the Irish Government, and now to recal the attention of the House to such precedents as existed on this subject. And he must say, that, according to precedent, the case must be strong indeed which would jutify their resorting to such an extreme course as that of instituting proceedings against a peer of the realm. The last instance of the kind occurred in 1702, when the Bishop of Worcester proceeded to lengths in an election which imperatively called for the interference of Parliament. He had sent to one of the candidates a dictatorial message, desiring him to desist from standing for the county, accompanying it with a threat, that he would denounce him to the clergy of his diocese; he also spoke at large upon the subject to his clerical brethren at Confirmations and Visitations; and, not content with all this, he aspersed the obnoxious party and all his ancestors to the laity, menacing those who should support him with the hint that he would discontinue their leases, as a punishment for their contumacy. The House of Commons, accordingly, voted an Address to the Crown, requesting that he might be degraded from the office of Almoner, which he then held; and the Address was complied with. In 1780, the Duke of Chandos, Lord Lieutenant of the county of Southampton, was accused of having interfered with the privileges of the House at an election, and it was proved that he had written 300 or 400 letters round the county, calling on the freeholders for their votes in favour of a candidate he had supported. A Committee of Privileges sat upon this case, and he was found guilty of a breach of privilege; but when the matter came before the House, the report of the Committee was ordered to be taken into consideration that day four months, by a majority of eighty-seven to thirty.* This was a very strong case of interference, and much stronger than any which had been proved against Lord Anglesey. Another case was on record so late as 1813—the Helston case—in which the House would take no steps, because they had been entrapped into a vote for receiving the Report of the Committee of Privileges which had sat upon the petition. The right hon. member for Montgomeryshire had, with his usual acuteness and sagacity, detected the difficulty into which the House had got, and had declared that it had been entrapped. [Mr. *C. W. Wynn*, did I say entrapped]? He thought such was the expression of the right hon. Gentleman; but, however, the purport of the right hon. Gentleman's observation was, that if the House passed a resolution to take the report of the Committee of Privileges into consideration, it pledged itself in effect to adopt ulterior proceedings. These proceedings had been moved and objected to; but the proper period at which the objection ought to have been made was, before the House had adopted the resolutions of the Committee. On the several grounds which he had stated, and principally on an *ex parte* statement, the House was now called upon, by the hon. Member's motion, to declare and affirm the resolution of the Committee, and thus entail on themselves the necessity of taking ulterior measures with respect to Lord Anglesey. He had, however, gone through all the evidence which was on the Report of the Committee, and looking at the paltry nature of that evidence, he would ask, whether any case was made out sufficient to justify the House in acceding to the motion before it? No man at the present day could be so blind as to deny, that the views of Government on political points ought to be supported by the dependents of Government, and he hoped he might be allowed to say, that every Government had a right to expect support from those who were in its employment. He contended, that all former Governments had acted on the same principle, and carried that principle further than it had been carried in the present instance; he would meet the Motion therefore with a direct negative.

Mr. *Hunt* did not understand the cheers from the Ministerial side of the House. He knew nothing of the Marquis of Anglesey; he never entered into any collision with him; and, taking it generally, he respected the character of the noble Marquis. But here was a charge of undue influence against the noble Marquis, and it was the duty of the House to interfere and make inquiry. It was a farce to justify the exercise of influence at the late Dublin election because former Governments had been guilty of the same misconduct. Mr. Long spurned at the threat held out to him, as appeared from the evidence of Captain Hart, who, perhaps, went a little further than his instructions, and Gen. Byng went round to correct the mistake, but not till the threats from the Castle had appeared in the Dublin newspapers. Mr. Long was perfectly exonerated in the conduct which he had pursued at the late Dublin election. A Swiss perfumer was discharged by the Castle for having voted against the Government candidate, although he had paid for his situation in the Battle-axe Guards. However, the Swiss was subsequently restored to his situation. He (Mr. Hunt) considered, that the source of justice was corrupted when the police Magistrates of Dublin were unduly influenced by the Marquis of Anglesey. The agent of the Government, Baron Twyll, sent for these Magistrates, and told them that they must vote for the Government candidates, although one of them said, that Mr. Shaw was his relative, and the father of Mr. Shaw his early friend. Mr. Tindal's evidence was clear upon this point, and he voted against his friends, in favour of the Government candidates. What could be more direct influence than that? The case of Mr. Studdart, the second police Magistrate, was precisely similar. He said, he had held a situation under the Corporation; that he had on former occasions voted for them; that he would wish to remain neutral, and give no vote on this occasion, but Baron Twyll, the agent of the Marquis of Anglesey, told him, he had to choose between his two situations; and that although one had been conferred by the Corporation, it was paid by the Government. Yet these cases were lightly glossed over by the right hon. Member (Mr. Stanley), as if, forsooth, they did not afford the most palpable evidence of the exercise of undue influence. In some cases it might be true, that no direct personal influence had been used by the Marquis of Anglesey; but it would be a waste of time to argue, that the agents of the Castle had not exercised undue influence at the last Dublin election. The whole tenour of the evidence taken before the Election Committee would prove it, although, here and there, the direct interference of the Lord Lieutenant could not be exactly brought home to him. Whoever committed injustice, whoever authorized an undue interference with the elections of Members to serve in that House, should, in his opinion, meet with the censure of the House. Baron Twyll and Captain Hart were to be considered as the agents of the Marquis of Anglesey, for they would never have dared to use his name as they had done, without authority. He had no doubt that these things had come before the public on account of the honest and straightforward character of the Marquis of Anglesey, who had disdained to resort to the concealment of an intriguing man. The Resolution was expressed in the mildest possible terms, and in his opinion did not go far enough. If his Majesty's Ministers chose to do so, he had no doubt, from what they had just seen, that they could command a large majority to vote with them a negative that undue influence had been used. If they did so, he was sure it was what the most decided enemy of the Reform Bill could wish; for, after that, the people of England would care very little for such a Reform as would be given by a Government of such principles.

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* Hansard's Parl. Hist. vol. xv. p. 1315—18.

Mr. *Stanley* explained respecting the non-arrival of witnesses, and particularly as to the refusal of the Committee to receive the evidence of Mr. M'Crossland. He had yet to do justice to the character of that respectable individual. It was represented in the Committee, that Mr. M'Crossland, a near connexion of Lord Plunkett's, had actually tendered a bribe. This assertion was made on the afternoon of Thursday, the intelligence of it reached Dublin on the Saturday; on that same day Mr. M'Crossland embarked on board the steam-boat, and reached London on the Monday morning, when he was refused to be heard by the Committee, although the Report had not been made, and he was prepared to deny the charge upon oath.

Mr. *Hunt* said, Mr. M'Crossland did not arrive till the counsel on both sides had closed their cases.

Lord *Uxbridge* contended, that the Report of the Committee did not deserve much respect, if it were true, as the Chairman of it had said, that it was difficult to determine whether the Committee or the witnesses had been most bewildered. He had it under the hand of the Marquis of Anglesey, that he had not wished a single individual to be coerced; and although it might excite a sneer, he believed, that the city of Dublin was dissatisfied that so little influence had been used during the election. As to the Marquis of Anglesey not daring to turn out police Magistrates, he would only say, that the Marquis would dare to do whatever was his duty. Having known Baron Twyll from his youth, he could bear testimony to his unimpeachable character, and knew he had acted at the election only as a freeman of Dublin; and had stated, from beginning to end, that he had not had, and could have, no communication with the Marquis of Anglesey. The Baron was not the agent for the Marquis; and if he had thought fit to distribute 500*l.* among the voters, it would be most unjust that his conduct should implicate the Lord Lieutenant. Common sense revolted at an argument to the contrary. Baron Twyll had distinctly told him (Lord Uxbridge) that he had never used the name of the Marquis during the whole election, and that he never held out a single threat to any voter.

Mr. *Ridley Colborne* adverted to the refusal of the Committee to receive the evidence of Mr. M'Crossland, who had arrived after the case on both sides had been closed, and when it was impossible to open it again. The present Motion had certainly been brought forward without any instruction from the Committee; and he, for one, regretted that the hon. Member (Mr. Robert Gordon) had thought such a course necessary. It only revived a painful subject; and it was the misfortune of Ireland that every thing was there made a matter of party triumph. The right hon. Secretary had discussed the question in a manly spirit, but he would rather that the right hon. Secretary should have met the Resolution with a motion for the previous question, or of the other Orders, than by a direct negative. If he were driven to a vote, he should, however, oppose the Resolution, as he thought it stronger than the case required.

Mr. *Lefroy* said, that he could not see how any Gentleman who had read the evidence could vote for the negative that any undue influence had been exercised. The Resolution would leave room for either inference, that Baron Twyll had usurped the name and authority of Lord Anglesey, or that he had acted as the agent of that noble Lord. It would leave it open to them to examine Baron Twyll at their Bar, by which the Lord Lieutenant might be exonerated from all charge. Another course would be, for the noble Lord to institute a criminal information against Baron Twyll for usurping the authority of his name and office, and that would give an opportunity of denying upon affidavit that any such authority had been given to him. It was a most remarkable circumstance, if Baron Twyll had taken this liberty with the Lord Lieutenant's name, that up to this moment he had been cherished in the noble Lord's service, and that Captain Hart was, in the month of June following the election, promoted in the same service. He thought the House could take no other course than to agree to this Resolution, or to rescind the Resolutions which stood upon their books as to the interference of Government at elections.

Lord *Althorp* said, that the Resolution was so vague, making a general charge against the Irish Government, without fixing the blame upon any individual, that the House could not with justice assent to it. The hon. and learned Gentleman himself, who spoke last, was doubtful whether the interference of Baron Twyll was altogether unauthorised, or was warranted by the Lord Lieutenant. If the House passed such a sweeping censure, it must be followed up by the dismissal of the whole Irish Government, although there was no direct charge against any member of it. The utmost that had been proved by the *ex parte* statement was, that the Marquis of Anglesey expressed a wish that the candidates favourable to Reform should be elected, and he allowed members of his household to make it known to his tradespeople and others, that he was desirous that they should vote for those candidates. But when he found that they had carried their imprudence so far as appeared by the evidence, he immediately took care to correct the false impression which they had made. Besides, it did not appear in any part of the evidence, that Baron Twyll made use of the Lord Lieutenant's name. He hoped and trusted, that the House would agree to the Motion of his right hon. friend, and give a direct negative to so unjustly vague a censure upon the whole Irish Government.

Mr. *Henry B. Baring* thought the hon. member for Cricklade was not obnoxious to blame for bringing the subject forward. At the same time, as he (in the Committee) had disapproved of making a Special Report, he could not support a Resolution which was still stronger than the Report.

Mr. *C. W. Wynn* could assure the House, that he was unwilling to prolong this debate; but he felt, that it was a judicial duty they were called upon to discharge, and from which they ought not to flinch. He could not abstain, therefore, from throwing in a few remarks upon the subject. The question was brought before the House by a tribunal constituted by Act of Parliament, and directed to report any special matter which might come before it, in the course of its inquiry, to this House : for the duty of Committees was not, as the right hon. Secretary for Ireland supposed, simply to try the matter of the petition which they were appointed to consider ; it was also their duty—expressly, by statute, laid upon them—to report to the House any other special matter which might present itself in the course of their inquiry. In the present case, the Committee reported, that undue influence appeared to have been exercised in the late city of Dublin election ; the hon. member for Cricklade, the Chairman of that Committee, came forward with a resolution founded upon that report—and the proposal was made, to meet that resolution with a direct negative. The House, therefore, was called upon to give a verdict, that it does "not" appear from the evidence which has been given, that any official influence was unduly used at the Dublin election. If a decision of that kind should be placed upon the Journals of the House, he wished to ask whether, in the ensuing general election to a reformed Parliament, it was to be understood, that the Chancellor of the Exchequer, or the First Lord of the Treasury, for the time being, should be at liberty to send round a circular letter to every person holding office, high or low, intimating that it was expected, that he would support such or such a candidate? If the Resolution now under consideration, should be negatived, then the House of Commons would determine, that the exercise of official influence in elections of Members to serve in Parliament was no offence. To his mind, the evidence upon which the Resolution was founded was most conclusive. Had the witnesses been few in number, and had their evidence been confined to only one or two instances of undue influence, there might, perhaps, have been some room to doubt; but the number of cases proved—proved, too, by different witnesses, each of whom confirmed the other, satisfied him that official influence had been actively exercised at the late Dublin election. That being the case, what would happen at the next election for that city, if the House of Commons should determine, that the exercise of that influence was not improper? Instead of being exerted privately and secretly, that influence would then be exercised in open day, and Government might proclaim at the Market Cross, and in the public places, "This is the candidate whom we wish to return; you, who are dependent upon us, or expect favours from us, must support him." That official influence had hitherto been sometimes exercised, no man could deny; but then it had been exercised in holes and corners, because those who made use of it were conscious that it was illegal, and subject to the severe censure of this House. Hereafter, no concealment would be necessary, and none would be observed. From the manner in which his right hon. friend had argued this case, he seemed to have forgotten the case of the Duke of Chandos. What was the argument of Lord Nugent in that case? "Shew us," said he, "that the noble Duke has used the influence of his office of Lord-lieutenant—shew us that he has applied to the clerks of the peace in the character of Lord-lieutenant—and I admit, that a case would be made out for the interference of the House. But this seems to be simply the interference of an individual nobleman, in his individual capacity, who expresses his wish that a certain candidate should be returned." In the present case, it had been distinctly proved, that the influence used was of an official character. It was true, that the Lord Lieutenant did not interfere in person; but an individual holding an official situation under him, went to two police Magistrates, and told them what course it was expected that they should take in the election. The fact of the Private Secretary of the Lord Lieutenant having so applied to the police Magistrates, was a *primâ facie* proof, that the influence used was the influence of Government. For how, after all, must this influence of necessity be exercised? It could only be through those who held inferior situations in the Government. It was well known, that Baron Twyll had exerted the influence of his office to induce the electors to vote for particular candidates. If that influence had been used without the sanction of the Government, it must, of course, have been resented, and so unworthy a servant would have been removed. From that time to this, however, no disapprobation of the conduct of Baron

Twyll appears to have been expressed by the Lord Lieutenant. Had he acted without authority, the noble Marquis would never have suffered one, who had so grossly abused the influence of his office, to have remained for another hour in any situation attached to the Government. As no notice, however, of the matter had been taken, the Marquis of Anglesey had recognised the interference of Baron Twyll. He was disposed to do justice to the Government of Ireland, thinking that the conduct of the Marquis of Anglesey, in the high office which he had filled, both under the present and the former Government, had been such as to entitle him to the gratitude of both countries. The private respect he felt for the noble Marquis, and the knowledge he had of the merits of that nobleman as a public servant, would dispose him, if he saw any course which he could conscientiously pursue, to pass over the subject without further notice; but he was called upon to give a verdict, whether the facts stated in the Resolution were proved or not. He was therefore bound to say, that in his opinion they had been clearly made out; and if they were passed by, the disgrace would be transferred from the Marquis of Anglesey, to that House. They would furnish a strong argument in favour of Reform, of any change, however extensive, did they declare, that an action which, by repeated votes of Parliament, had been stigmatized as an infringement of the privileges of the House, and perhaps a violation of the laws of the land, should be passed by without censure. If the House took no step in the matter, it would pronounce a verdict against the privileges of the Commons. The right hon. Gentleman had alluded to the course pursued by him on a former occasion; but had his Majesty's Ministers behaved as the Ministers of that time, no difference would have been found in his conduct. He would then have repeated all his former arguments, and if they had not been effective, he should have ranked himself among the opponents of the second Resolution; because the House ought not to allow a resolution imputing criminality to an individual to stand upon its Journals, unless that Resolution was to be followed up with more decided measures. If the House were unwilling that a vote of censure should stand upon its Journals against the Irish Government, it should prevent this Resolution also from appearing upon its Journals. The argument of Ministers amounted to this—that the subject was altogether of too trifling a nature to be brought under the consideration of the House. It appeared to him, however, that if the Private Secretary of the Lord Lieutenant of Ireland was to interfere with the police Magistrates—and with those employed in the administration of justice, and was to tell them that they were expected to vote for particular candidates—and, moreover, when an individual states, that he is under the strongest possible obligation to another candidate, and requests only to remain neuter rather than to vote as the Government requires—if he was to be told, that he could not be excused, because others would expect to be excused also; if all this were to be done, and the House of Commons to take no notice of it, the greatest evils must result, and, hereafter, every Government of Ireland would consider itself at liberty to dictate to every individual over whom it had the slightest influence. That was such an extent of influence—he might call it of tyranny—that he never would sanction it by his vote.

An *Hon. Member* said, the Resolution moved by the hon. member for Cricklade, and the course which the Government had thought proper to pursue, had placed him and some other members of the Committee in rather a difficult and embarrassing situation. He attended the Committee regularly, and heard the whole of the evidence. Having done so, and having bestowed upon that evidence all the consideration possible, he could not help coming to the conclusion that some degree of undue influence had been used at the election—and could not but assent to the Report which was made by the Committee to the House. In consistency, therefore, with his vote on that occasion, he ought to support the Resolutions of the hon. Gentleman; but the corollary with which he had accompanied it, which, after resolving, that undue influence to a certain degree—and to a very trifling degree—had been exercised, called on him to resolve that a gross infraction of the privileges of this House had been committed, prevented him. He could not consent to the corollary, and, therefore, meant to oppose the Resolution.

Sir *George Warrender* could not bring his mind to vote in favour of a Resolution to pass a severe censure on the Irish Government for its conduct in the late election for Dublin. He had read, with the greatest attention, the whole of the evidence, and although he admitted, that some degree of undue influence had been exercised, he could not give his support to a Resolution which would visit the Irish Government with a heavier censure than it deserved. He would even go further, and vote with the noble Lord, the Chancellor of the Exchequer, for giving a direct negative to this Resolution; because he was prepared to say, that, unless the exercise of some influence be allowed, the business of Government could not be conducted.

Mr. *Robert Gordon* knew, that his situation was a difficult one, but it had been rendered much more so, because there had been a wish, on the part of some hon. Members, to turn their observations into personal attack. The hon. member for Preston (Mr. John Wood) was the first to begin. The hon. Member expressed a hope, that he should not be offended at his remarks, and he begged to assure the hon. Member, that he might make himself perfectly at ease on that score. He had been somewhat more surprised, and hurt at some of the observations of the right hon. Secretary for Ireland. In the first few words which that right hon. Gentleman addressed to the House, he was pleased to say, that the case had been fully and fairly submitted to the consideration of the House, but subsequently he seemed to think it was a good opportunity to make a personal attack upon him. Upon what ground that attack was made he knew not. The right hon. Gentleman began by ridiculing some expressions which fell from him in the course of his address. What the right hon. Gentleman's feelings were he could not tell, but he supposed they were not feelings of pain; for the right hon. Gentleman seemed incapable of feeling pain. At all events, he hardly ever rose in his place to address the House, that he did not give pain to some hon. Member. He could tell the right hon. Gentleman, however ridiculous it might appear in his eyes, that he had approached that part of the subject which it was his duty to submit to the House, with very considerable pain. He had the honour to be personally acquainted with a near relation of the noble Marquis at the head of the Irish Government, and from that, and other circumstances, felt great pain in submitting some of the details connected with the late Dublin election to the consideration of the House. He, however, had not taken the opportunity of attacking the private character, or of making any allusion which could, in the slightest degree, hurt the feelings, either of the Lord Lieutenant or of any of the individuals who were involved in the transaction. All that he endeavoured to do was, fairly and dispassionately to lay the whole case before the House, without any further allusion to individuals than was absolutely necessary to render his statement intelligible, and to explain the grounds upon which his resolutions were founded. Allusions had been made to his having assumed the power to submit these resolutions to the House. The right hon. Gentleman said, that he had received no instructions from the Committee to adopt such a course; but would the right hon. Gentleman point out a case in which any Committee had given such instructions? The usual course was, for the Committee to make a special report, and then for it to be moved, that the evidence be printed. The evidence having been printed, it was generally understood to be the bounden duty of some member of the Committee—not necessarily the Chairman—to bring that evidence under the consideration of the House, and, if the circumstances of the case required it, to move some resolution upon it. Such, at least, was the course pursued in the case of East Retford. The Committee in that case having reported to the House, and the evidence having been printed, an hon. Gentleman, now the Secretary to the Ordnance, who was not the Chairman of the Committee, brought the subject under the consideration of the House, and moved a resolution upon it. He had the honour of being the Chairman of the Committee appointed to consider of the merits of the petition presented against the return of the members for the city of Dublin. In that situation he hoped that he had not assumed any improper or unnecessary power while the investigation of the Committee was in progress. But that investigation having been concluded, the report having been received, and the evidence printed, he felt it to be his duty to submit the case to the House for further consideration. With reference to the manner in which he had discharged that duty, it must be remembered, that he originally stated, that the principal point upon which he rested the case, was the bribery and the manufacturing of fictitious votes; and that he was particularly anxious to separate that part of the subject from the charge of undue official influence, which was alleged against the Irish government. To the resolution founded upon that first part of the case, the House had already agreed. He rejoiced to have found so strong a feeling on the part of the great majority of the House, that this system of voting should not be allowed to continue. With regard to the second point now under consideration, he was, of course, entirely at the disposal of the House. If hon. Members thought, that official influence was not unduly exercised at the late election at Dublin—if, after the evidence which had been laid before them, they believed that Baron Twyll did not exert the influence of his office to induce many of the electors to vote in favour of the Reform candidates—of course it was in their power to put a negative upon the Resolution. For his own part, however, he had no doubt upon the subject; it appeared to him, clear, that official influence was used, and used improperly. Would Baron Twyll, in his private capacity as a freeman of Dublin, have gone to another freeman, and have demanded his vote for a particular candidate in the manner described by the witnesses examined before the Committee? Again, would any gentleman in his private capacity write to another gentleman with whom he was not personally acquainted, or send a message to him, desiring him to call at his house, for the purpose of receiving instructions as to which way he should vote? He should be very much surprised if anybody were to write to him in such a manner. The hon. Member concluded by saying, that he had only done what he concluded to be his duty.

Mr. *Stanley* hoped, that he did not hold, in the opinion of the House, the character which the hon. Gentleman had attributed to him, of never rising in his place without giving pain to some one. He could only say, that if, at any time, in the heat of debate, he had given pain to any Gentleman on either side of the House, or if, on the present occasion, he had said anything painful to the hon. Gentleman, no man could regret it more than he regretted it.

The House then divided on the resolution. Ayes 66; Noes 207;—Majority 141.

List of the Noes.

Acheson, Viscount
Adam, Admiral C.
Althorp, Viscount
Anson, Hon. G.
Apsley, Lord
Astley, Sir J.
Atherley, A.
Bainbridge, E. T.
Baring, F. T.
Baring, H. B.
Bayntun, Captain
Belgrave, Earl of
Benett, J.
Bentinck, Lord G.
Berkeley, Captain
Bernal, R.
Biddulph, R. M.
Blackney, W.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Brabazon, Viscount
Browne, D.
Bourke, Sir J.
Bouverie, Hon. D. P.
Bouverie, Hon. P. P.
Brougham, J.
Buller, J. W.
Bulwer, H. L,
Bulwer, E. L.
Burdett, Sir F.
Burton, H.
Byng, G.
Byng, G. S.
Callaghan, D.
Calley, T.
Calvert, C.
Calvert, N.
Campbell, W. F.
Carter, J. B.
Cavendish, C. C.
Cavendish, H. F. C.
Cavendish, W.
Chichester, J. B. P.
Chichester, Sir A.
Clifford, Sir A.
Cockerell, Sir C.
Colborne, N. W. R.
Cradock, Colonel
Crampton, P. C,
Creevey, T.
Chapman, M. L.
Curteis, H. B.
Denison, J. E.
Denman, Sir T.
Dixon, J.
Don, O'Conor
Duncombe, T. S.
Dundas, C.
Dundas, Hon. T.
Dundas, Hon. Sir R. L.
Easthope, J.
Ebrington, Viscount
Ellice, E,
Ellis, W.
Etwall, R.
Evans, Col. Delacy
Evans, W. B.
Evans, W.
Ewart, W.
Fitzroy, Lord J.
Foley, Hon. T. H.
Forbes, Lord
French, A.
Gilbert, D.
Gillon, W. D.
Gisborne, T.
Godson, R.
Gordon, R.
Graham, Sir S.
Grant, Right Hon. R.
Grant, Right Hon. C.
Grosvenor, Rt. Hn. R.
Handley, W. F.
Hawkins, J. H.
Haywood, B.
Hill, Lord G.
Hodges, T. L.
Hodgson, J.
Horne, Sir W.
Hort, Sir W.
Hoskins, K.
Howard, P. H.
Howard, J.
Howick, Viscount
Hudson, T.
Hughes, Col. W. L.
Hume, J.
Jeffrey, Right Hon. F.
Jephson, C. D. O.
Jerningam, Hon. H.
Johnson, A.
Killeen, Lord
King, E. B.
King, Hon. R.
Knight, H. G.
Labouchere, H.
Lamb, Hon. G.
Lawley, F.
Leader, N. P.
Lee, J. L. H.
Lefevre, C. S.
Lennox, Lord J. G.
Lennox, Lord A.
Lennox, Lord W.
Lester, B.
Loch. J.
Lloyd, Sir E. P.
Lumley, J. S.
Maberly, Colonel
Maberly, J.
Mackenzie, S.
Macnamara, W.
Mangles, J.
Marjoribanks, S.
Marshall, W.
Maule, Hon. W. R,
Mayhew, W.

Milbank, M.
Mildmay, P. St. J.
Mills, J.
Moreton, Hon. H.
Morpeth, Viscount
Mostyn, E. M. L.
Mullins, F.
Musgrave, Sir R.
Nowell, A.
Nugent, Lord
O'Connell, D.
O'Connell, M.
O'Ferrall, R. M.
O'Grady, Hon. Col.
Ord, W.
Osborne, Lord F. G.
Paget, T.
Palmer, C. F.
Parnell, Sir H.
Payne, Sir P.
Pendarves, F. W.
Penlease, J. S.
Penrhyn, E.
Pepys, C. C.
Petit, L. H.
Petre, Hon. E.
Phillips, Sir R.
Phillips, G. R.
Phillips, C. M.
Ponsonby, Hon. G.
Power, R.
Poyntz, W. S.
Price, Sir R.
Protheroe, E.
Pryse, P.
Ramsbottom, J.
Rickford, W.
Rider, T.
Robarts, A. W.
Robinson, Sir B.
Rooper, J. B.
Russell, R. G.
Ruthven, E. S.
Sandford, E. A.
Scott, Sir E. D.
Sebright, Sir J.
Sheil, R.

Skipwith, Sir G.
Smith, J. A.
Smith, M. T.
Stanhope, Captain
Stanley, E. J.
Stanley, Rt. Hn. E. G
Stephenson, H. F.
Stewart, P. M.
Stewart, E.
Stewart, Sir M. S.
Strickland, G.
Strutt, E.
Stuart, Lord P. J.
Talbot, G. R. M.
Tennyson, C.
Thicknesse, R
Thompson, C. P.
Torrens, R.
Traill, G.
Tyrell, C.
Uxbridge, Earl of
Villiers, T. H.
Vernon, Hon. G. J.
Vernon, G. H.
Vincent, Sir F.
Waithman, R.
Warburton, H.
Warrender, Sir Geo.
Wason, W. R.
Webb, Colonel
Wellesley, Hn. W. T. L.
Westenra, Hon. H.
Weyland, Major
White, Colonel
Wilbraham, G.
Wilde, Thomas
Wilks, J.
Williams, W. A.
Williams, Sir J. H.
Williamson, Sir H.
Wood, J.
Wood, C.
Wyse, T.

TELLERS.

Macdonald, Sir J.
Rice, Hon. T. S.

List of the AYES.

A'Court, E. H.
Ashley, Hon. J.
Bankes, G.
Best, Hon. W.
Buxton, F. F.
Chandos, Marquis
Clements, G.
Clerk, Sir G.
Conolly, E. M.
Cooke, Sir H.
Curson, Hon. R.
Davidson, D.
Douglas, W. K.
Dundas, R. A.
Encombe, Lord
Estcourt, J.
Fane, Hon. H.
Fitzroy, Hon. Capt.
Forbes, Sir C.

Forbes, J.
French, A.
Gordon, J. E.
Gordon, J.
Hay, Sir J.
Hardinge, Sir H.
Holmesdale, Viscount
Houldsworth, A. H.
Hunt, H.
Inglis, Sir R. H.
Kenyon, Hon. L.
Knight, J. E.
Lefroy, A.
Loughborough, Lord
Lovaine, Lord
Lowther, J. H.
Maxwell, H.
Miles, W.
Miller, W. H.

North, J. H.
Pelham, J. C.
Pemberton, T.
Pollington, Lord
Praed, W. M.
Pringle, A.
Pusey, Hon. P.
Rochfort, G.
Rose, Sir G.
Rots, C.
Ryder, Hon. G.
Scarlett, Sir J.
Scott, Sir S.
Seymour, H. B.
Sibthorp, Colonel
Somerset, Lord G.

Stormont, Lord
Stewart, C.
Thynne, Lord J.
Tunno, E. R.
Vyvyan, Sir R.
Welby, G. E.
Wetherell, Sir C.
Wortley, S.
Wrangham, D. C.
Wynn, C. W. W.
Wynne, J.
Young, J.

TELLERS.

Gordon, R.
Lefroy, T.

HOUSE OF LORDS,

Wednesday, August 24, 1831.

MINUTES.] Bill. Brought up from the Commons, and read a first time; the Administration of Justice (Ireland.)

HOUSE OF COMMONS,

Wednesday, August 24, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. Alderman WOOD, of the number of Accounts received in the Masters of Chancery's Offices, during the last three years.—On the Motion of Mr. HUME, for an account of all Expenses incurred for the Government House at Newfoundland, up to this time, with the dates when, and authority by which the Money was issued; Copy of the Estimate for the Building, and every other particular relating to the Building and Furnishing thereof.

Petitions presented. By Mr. BLACKNEY, from the Inhabitants of Goresbridge, against any further Grant to the Kildare Street Society. By Mr. GODSON, from the Inhabitants of St. Alban's, praying that the Franchise may be reduced in Boroughs from 10*l.* to 5*l.* By Colonel EVANS, from the Inhabitants of the Town and Neighbourhood of Bury, Lancashire, praying that the Right of Voting for that place might be extended to several adjacent Townships. By Mr. C. ROSS, from the beneficed Clergy of the Diocese of Leighlin, praying that the Tithe Compensation Act may be made compulsory, and from the Vestrymen of St. Marylebone, against the Select Vestries Bill. By Colonel DAVIES, from the Overseers of the Poor of the several Parishes of Worcester, against the Poor Settlement Bill. By Sir GEORGE MURRAY, from the Land-owners and Barley-growers of Perth and its vicinity; from Proprietors and Farmers of the Cave of Gowrie, and from the same Persons in the vicinity of Dunkeld, Perthshire, against the use of Molasses in Breweries and Distilleries.

PROGRESS OF REFORM.] Colonel *Evans* presented a Petition from certain inhabitants of Rye, complaining of the great and unnecessary delay in the progress of the Reform Bill, and declaring that there was a stagnation of trade, arising from the belief that the Bill would be thrown out; and in doing so he remarked, that the extreme moderation of Ministers, supported as they were by one of the greatest majorities that a Government ever had in a legislative assembly, was witnessed by the country with more disgust, if he might be forgiven the word, than approbation.

Mr. *O'Connell* said, he was not surprised that the people should feel dissatisfied at the slow progress of the Bill; but Ministers were not to blame. If they attempted to hurry it, the Opposition would move the adjournment of the House, as they had an undoubted right to do. They spoke as little as they could, for which they were taunted by their opponents, but they had better submit to be thus taunted than interpose additional delay by making speeches.

Mr. *John Campbell* said, he felt it to be his duty, as an independent Member of Parliament, to declare, that in his opinion the complaints of unreasonable delay on this subject were unfounded. The people were not aware of the difficulties which arose in discussing the Bill. They should consider that schedules A and B had been passed in as short a time as it had before taken Parliament to disfranchise a single borough. Let the people be patient, and place confidence in the House, and they would soon find cause to be satisfied.

Mr. *Hunt* said, it was true there was great and general impatience throughout the country, but it arose from the people having been deluded into the belief, that every benefit would follow for them from the passing of the Reform Bill.

Mr. *Hume* did not think the delay had been excessive. The commerce of the country, however, was injured by the measure's being left undecided, and he should accordingly feel it his duty to give notice of a motion, which would have the effect of allowing a greater number of hours each day for discussion, and thus facilitating the progress of the Bill. He begged to give notice, that he would, on Saturday next, move a resolution to the effect, that Orders of the Day should take precedence on Tuesdays, Thursdays, and Saturdays, thus leaving Monday alone for other business, and that the House should sit every day at twelve o'clock.

The *Speaker* called the attention of the hon. Member (Colonel Evans) to the prayer of the petition, which he was sure the gallant Member could not have read. Amongst other violent and offensive expressions used in the petition, it declared, that the Bill was impeded by the upholders of corruption in the hon. House, who, upon the most frivolous pretence, wasted the public time. He suggested to the hon. Member the propriety of withdrawing the Petition, which he was convinced the hon. Member would not have presented had he first read it.

Colonel *Evans* said, that much as he respected the authority of the House, and the opinions of the Chair, there were circumstances under which a man might be compelled to risk their disapprobation. This petition came from a very great body of his constituents.

The *Speaker* explained, that no considerations should induce an hon. Member to become the proxy of others in giving currency to language which would be disorderly and unparliamentary in debate, and which no hon. Member could use himself.

Colonel Evans withdrew the Petition.

Castle Pollard Affray.] Colonel *Rochfort* took the opportunity of the Solicitor General for Ireland, and the learned member for Kerry, being in their places, to request their contradiction of a mis-statement which had appeared in the Papers of a discussion which took place in the House on the 16th inst., in which it would appear, that the discussion referred to Castle Pollard instead of Kilkenny. It was relative to Roman Catholics being left off the panel. He had received a letter from the Under Sheriff of Westmeath, who conceived himself injured by the impression that had gone abroad in consequence, or that there should be even any ground of complaint, whereas there never was a fairer panel or fairer trial. The gallant Colonel perceived he was out of order, and therefore at once appealed to those hon. Gentlemen.

The *Solicitor General* fully corroborated the statement of the hon. Member, and stated, that the discussion referred to, related to the trials at Kilkenny.

Mr. *O'Connell* said, the report was perfectly false. Castle Pollard had been put down for Kilkenny.

Colonel *Rochfort* said, as this was quite sufficient he would not trouble the House by presenting a Petition he had received, or taking any further steps; but he would not sit down without again asserting, that there never was a fairer trial or more justice done. A most upright Judge, and who was supposed to be of what was called liberal politics, presided, and approved of the verdict. The Jury were selected after numerous challenges by the Crown, and several were also of the liberal party. He hoped to hear no more of Castle Pollard.

with their own comforts, and with the advantage of society at large.

Mr. *Crampton* said, that the charge of cant and hypocrisy, if made against the Bishop of London, was unfounded and unjust. There was no man less subject to such a charge, nor to the imputation of wishing to lessen the comforts of the lower orders. On the contrary, his wish was to increase them. The observations which that right rev. Prelate had made in the other House, related to the evils of gin drinking, which, most certainly, did materially interfere with the morals, the comforts, and happiness of the poor.

Mr. *Hunt* reminded the House of the nature of this petition, the object of which they seemed to have forgotten. It was a petition, signed by eleven out of the twelve Petty Jurymen of Chester, contradicting the Grand Jury, and accusing them of cant and hypocrisy, of robbery and falsehood, and of living by plunder, arising from gross corruption. That was the nature of this petition. The hon. member for Middlesex had not had his words explained properly by any one, except by himself. The hon. Member did not accuse any one of cant, for wishing to put down the beer-shops, but for endeavouring, at the same time, to license the gin-shops, which were the real evil. No other Member had taken notice of that. But he could assure them that was the evil. He could take them round, and show them on a Sunday morning, scores of people lying dead drunk at the gin-shops. The hon. member for Reading had spoken of the advantage of poor people brewing beer for themselves, but the mischief was, that they did not do that, they had the poison from the brewers still, for it was the brewers' poison that was sold in these cheap public-houses. He should be glad to see that system altered, and every man able to drink the beer he brewed himself.

Sir *Matthew White Ridley* said, there was no class of men who could possibly wish to encourage the system of gin-drinking, or who wished to put down beer-shops for that purpose. It was a misrepresentation to say, that any class of men in the country wished this; above all, the Bishop of London was the last who would encourage anything of that sort, or who had a wish for anything but the prosperity and happiness of the whole of his flock. He wished to take that opportunity, of setting at ease the minds of some persons, as to the alterations about to be proposed in the Beer Bill. There was no intention of altering the power of persons to consume beer on the premises where it was sold. He had always doubted the policy of allowing such a power, but now that the law had been passed, he should think it most unwise to alter it, till there had been more time to know its effects.

Mr. *Atherley* said, he had a Petition from the town he represented, upon the subject of the proposed alterations, and he took that opportunity of confirming the statement just made by the hon. Baronet. The bill now before the other House, contained no new restraints as to the consumption of beer on the premises, in these beer-houses. He hoped they would be allowed to continue open, until, at least, ten o'clock. He knew of no serious disorders they had occasioned.

Petition to lie on the Table.

Mr. John Wood moved, that it be printed.

Sir *Richard Vyvyan* said, it was the wish of the Magistrates that the poor should have their beer as cheap and good as possible; but, as it was now allowed them to consume beer upon the premises, as the beer shops were kept open to any hour, and as that practice operated differently in the country from what it did in towns, the magistracy complained, that they had not the same control in the country that they formerly had, and, therefore, they were less able to answer for the maintenance of its peace. It was clear, that as the beer-shops increased, and as the power of control in the magistracy diminished, there must be an increased necessity for a larger police.

Mr. *Hume* said, that his observations had been much remarked upon. He should state again his conviction, that much of this outcry arose from the persons among the magistracy having an individual interest to put down those beer-shops, over which they had no control, and to keep up those other houses, the licensing of which depended on them. Why, the reason for putting down the system that had so long existed in the country was, that the magistracy had, in many instances, abused this power of control. What right had the magistracy to interfere with the poor man spending sixpence, in what way he pleased, provided he did not commit a breach of the peace?

If the hon. Baronet wished to do justice, let him say, whether he believed that any man who asked for champagne, at any hour of the night, would be meddled with by the magistracy? Then why should they meddle with the poor man, who asked only for beer? The attempt now made was to restore an unjust law. It was unjust when it was made by the rich, who had all the comforts of life, against the poor, who had but few of them. It was founded on very narrow views of policy—it was an excess of meddling. It was an attempt to perpetuate that tyranny over the people from which they had just escaped. He was against the proposed measure, for he thought there ought not to be one law for the poor, and another for the rich.

Mr. *Wilks* protested against any principle of legislation which would make a difference between the rich and the poor. He therefore looked with suspicion upon a proposition that had been made elsewhere, to close the beer-houses at five in the summer, and four in the winter, which was unconstitutional and absurd. The real question was, whether they would encourage the consumption of gin, or beer. The publicans had a greater interest in promoting the use of gin, because they derived considerably greater profit from the sale of ardent spirits, than they did from that of beer. When they encouraged gin-shops, they, at the same time, promoted the commission of those crimes which the immoderate use of strong liquors was sure to produce.

Mr. *Estcourt* complained, that imputations were cast on those who discountenanced these beer-shops. It was surely most unfair to insinuate that those persons were influenced by interested motives. His objection to these shops did not arise from the facility which they afforded the poor man, to procure a cheap and wholesome beverage, but, because they formed a rendezvous for irregular characters, and were a decoy, to induce the lower orders to indulge in inebriety. It was highly necessary, therefore, that they should be placed under the control of the Magistrates. He could inform the House, that these shops were the property of brewers: those who kept them had not sufficient property to establish them. He agreed with the hon. member for Preston, that much delusion had been practised upon the public, with regard to this subject. He confessed, that he was in the first instance favourable to the arrangement that the beer might be drunk on the premises; the principal inconvenience arose from an error which was in the statute; in fact, those shops might be kept open all night, the Act having given no power to the Magistrates to prevent them. The object of himself and his friends was, to correct this defect in the Beer Act, and not to suppress beer-shops altogether. He was present when the observations upon this subject were made by a rev. Prelate in another place, and would take that occasion to say, that nothing had fallen from the rev. Prelate which could warrant the term "cant" being applied to them.

Mr. *Hume* said, he was able to prove, that he had underrated the privations to which the poor were subject. All he had contended for was, that as sugar, tea, soap, and other articles were sold without restriction, so ought the sale of beer to be equally open.

Mr. *John Wood* said, he wished to call the attention of the House to the bill for building new churches, which was stealing *sub silentio* through the House, and which had been introduced at the suggestion of the Church-Building Commissioners. The measure ought to be narrowly watched, for many bad statutes had proceeded from that Board.

Petition to be printed.

THE RECORDER OF LONDON.] Mr. *John Wood* said, that it was his intention to move, that the Petition which he presented to the House on the 3rd of August last, should be printed. He did this, because, though the Petition came from a private individual, the subject of it was of a public character, and involved a grave charge against a public officer. He was anxious to take this step that further proceedings might be adopted if necessary.

Sir *Richard Vyvyan* objected to the Motion. If the Petition contained charges against a high judicial functionary, the hon. Gentleman ought to have given notice of his motion. It was also important that the House should know that the Petition contained nothing that was objectionable.

Mr. *John Wood* assured the hon. Baronet the Petition contained no disrespectful remarks.

Mr. *O'Connell* concurred with the observations of the hon. member for Preston, The petition contained no objectionable passages, but stated what appeared to be a gross case of the maladministration of justice.

Mr. *Courtenay* recommended the hon. Member to defer his notice until to-morrow.

Motion postponed.

OCCURRENCE AT WHITEHAVEN.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Hume* said, he wished to inquire what circumstances had authorized the military to interfere in a difference which had taken place in the country between some pit-men in the coal-mines of Whitehaven, and their employers, and which was likely to be reconciled without their intervention: he understood, that on the occasion referred to, both infantry and dragoons had been employed to decide a question between certain masters and their men.

Mr. *Lamb* said, that there had been a strike among the colliers, who refused to work; they not only, however, refused to work themselves, but, by threats, endeavoured to prevent the other men who were willing to engage in their usual occupation. They took away the tools, and were guilty of great violence and outrage. To prevent any further disturbance, the military were sent for, and were called out only by the authority of the Magistrates; they were not employed to interfere in any way in the dispute between the men and their employers, but to prevent outrage.

Mr. *Hume* said, the accounts he had received of the transaction were somewhat different—if he found them confirmed, he should take further notice of the occurrence.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — THIRTIETH DAY.] On the Speaker putting the question,

Mr. *Hughes Hughes* rose and spoke as follows: Mr. Speaker.—I have been so strongly importuned, personally, and by letter, and both in and out of this House, by some to persevere, and by others not to persist, in the important motion of which I gave notice for this evening, relative to the number of the Members of this House, and that, too, I can assure the House, without distinction of party, that I have scarcely known how to act; at length, however, I have determined to take a middle course, and not to submit my motion until the bringing up of the Report —until, in short, the fate of my renewed proposition for the non-division of counties, with which, in my view, it is intimately connected, shall have been decided. And here, Sir, I should resume my seat, had not an attempt been made in the leading public journals, to injure me in the opinion of my constituency and the public at large, by shamefully misrepresenting the object and tendency of my proposed Resolution, and declaring it to be the same which General Gascoyne, "fatally to himself," proposed in the last Parliament, and against which I then voted; on which account I trust the House will indulge me with its attention for a few minutes, while I shew how utterly the two motions are at variance.

Sir *John Newport* said, he rose to order. The hon. Member was proceeding to discuss a motion which he had declared his intention not now to bring on, and, in so doing, to make reference to the public journals, which, also, he submitted was irregular.

The *Speaker:* The right hon. Baronet is mistaken; the question is not one of order, but of taste.

Mr. *W. Hughes Hughes* resumed.—Although, Sir, I must consider it very illiberal in the right hon. Baronet to wish to interpose between me and that explanation which I think due to my own character for consistency, I will not further advert to the daily Press, but proceed to read the motion of the gallant General, to which they referred; it was in these words —"That it is the opinion of this House, that the total number of Knights, Citizens, and Burgesses—returned to Parliament for that part of the United Kingdom called England and Wales—ought not to be diminished." This motion, then, proposed to do that which, after the Government had determined to give five additional Members to Ireland, and five to Scotland, could not be accomplished without adding to the present total number of the House. My notice, on the contrary, was, "to move a Resolution declaratory of the opinion of the House, that the present total number of its Members should not be reduced," without objecting to the five additional Members each, proposed to be given to

Ireland and Scotland, or presuming to declare from what parts of the United Kingdom, or in what proportions from among those parts, the thirty-two seats, which, as I understand, remain to be disposed of, should be supplied. I have thus, I hope, shown how very dissimilar are the two motions. My view of the matter, however, is fully confirmed, and as it happens, in so many words, by the highest authority on such a point in this House—I mean that of the noble Lord, the Paymaster of his Majesty's Forces, himself, who, in the speech which closed the memorable debate of the 19th of April last, on the motion of the gallant General, is reported in *Hansard*, vol. iii. page 1686, to have said, "a motion had certainly been mentioned last week to declare that the total number of the House ought not to be diminished;" (the very terms, be it observed, of my notice;) "and his noble friend (Lord Althorp) and himself had stated, that they would take it into consideration; but the proposition of the hon. and gallant General" (the House will mark this) "was entirely different. It was not that the total number of the House—including England, Ireland, Scotland, and Wales, should not be diminished—but that the total number of Members for England and Wales should not be diminished." And in the speech of the noble Lord, the Chancellor of the Exchequer, referred to by the noble Paymaster (as reported in page 1270 of the same volume) his Lordship said, "As to the exact number of Members which should constitute the House, Ministers did not hold it to be essential to the principle of the Bill. But if it should be the opinion of the House, that the present number was not too great, and that it should decide to retain the whole, Ministers might not think it such a deviation from the principle of the Bill, as would induce them to abandon it. On the contrary, they would then be prepared to recommend to the House the manner in which those Members should be disposed of, adhering to their original principle, that no Members should sit for boroughs which came within the line of disfranchisement which they had felt it their duty to draw. The Members thus to be disposed of, should the House so decide, they would recommend to be given, in many cases, to large towns, adhering, as much as possible, to that balance of interests which was at present kept up in the country; but he begged to be distinctly understood, that the retaining of the whole number of Members was in no one degree to touch that principle which went to the disfranchisement of the rotten boroughs." I trust, then, I have sufficiently disproved the assertion that my proposed resolution, and the motion of the gallant General, were the same, or at all alike, either in their object or tendency. And now, Sir, I would suggest to the House, that there is nothing in the preamble of the Bill which would justify his Majesty's Ministers in thus abridging the number of the Members of this House, but that every word of it would lead the public to the reverse conclusion: the preamble runs thus:—"Whereas it is expedient to take effectual measures for correcting divers abuses that have long prevailed in the choice of Members to serve in the Commons House of Parliament; to deprive many inconsiderable places of the right of returning Members, to grant such privilege to large, populous, and wealthy towns, to increase the number of Knights of the Shire, to extend the elective franchise to many of his Majesty's subjects, who have not heretofore enjoyed the same, and to diminish the expense of election." Such is the whole of the preamble, and where is the solitary word from which any one would imply an intention to reduce the number of Members? All I should seek, then, by my resolution, is to follow out the letter and spirit of this preamble. I conceive, Sir, that so important a question as that of the extent and proportion of the Representation of the people of the different parts of the United Kingdom in this House, ought to be brought fairly before the House for its decision, and not left to the decision of the Government, or to be determined obliquely by the three Reform Bills. I think, too, that the House should decide upon the number while yet the English Reform Bill is under our consideration, and not that the discovery should be made when it is too late to supply the deficiency, except by adding, exclusively, to the number of Representatives for Ireland and Scotland. I should say, that all the vacancies should be filled up in favour of Great Britain alone, and perhaps England exclusively, and that if the division of counties should still be persevered in, and after the recent alteration with respect to the right of tenants at will to vote in counties, about which so much has been said and written, the whole of the thirty-two Members should be given, as a counterpoise, to large and populous towns. My opinion, Sir, certainly is, that a diminution of the number of the Members of this House, would be altogether inconsistent with the present circumstances of the country, the population, wealth, and intelligence of which have so vastly increased, that that very increase has been, and most justly too, assigned as one principal ground for the present measure of Reform, and has necessarily brought with it a proportionate increase of the business of this House. All my votes on this Bill have been in harmony with these sentiments, and for the utmost extension of the elective franchise which has been proposed to the House, and appeared to me to be safe and practicable. In conclusion, Sir, I must repeat the expression of my surprise at the language of the circular to which I before alluded, and which should appear to have had the sanction of the Government, whose conduct, in such case, would forcibly remind me of the adage, that if, after granting ninety-nine favours, you refuse the hundredth, you lose your friend.

The House resolved itself into the Committee.

The *Chairman* said, "The 21st Clause."

Lord *Althorp* said, that before the clause was gone into he wished to state what course it appeared to him it would be most convenient for the Committee to pursue. He recommended, that the hon. member for Preston's Amendment should be taken first. The next in order, would be the amendment of the hon. member for Worcester, which would come in after the words "legal incapacity;" then would come the hon. member for Bedford's Amendment; after that the hon. member for Newcastle's. The hon. member for Stafford would then fall in and close the clause. The Government also proposed to make several amendments in the clause as it originally appeared in the Bill. Now, the amendments proposed by the Government had been printed, and what he hoped the Committee would think it expedient and convenient to do was this:—To take the clause as proposed by the Government, and to deal with the several amendments as the particular words occurred, after which they were proposed to be introduced.

After a short conversation the Chairman commenced reading the clause—

"And be it enacted, that in every election of a Member or Members to serve in any future Parliament for any city or borough every such person of full age, and not subject to any legal incapacity."

Mr. *Hughes Hughes* inquired whether his Majesty's Government proposed to make any further amendments in the clause?

Lord *Althorp:* We do not.

Mr. *Hunt* then rose to bring forward his promised motion. He thought it due to himself, to the House, and to the country, to show that he was not about to make any proposition not recognised by the ancient law of the land. The principle which he contended for was, that every person who paid taxes should be entitled to a share in the Representation; and the motion with which he meant to conclude did not go beyond extending the franchise to all persons paying scot and lot. He should enter into a few observations, in order to show that Universal Suffrage and Annual Parliaments formed part of the ancient Constitution of the country, and could not be considered as wild and visionary propositions. In the regins of Henry and John the population of the country was divided into two classes. The first consisted of the nobility, the knights, the freeholders, and freemen of the country; and the second class consisted of their vassals and slaves. This state of things continued down to the reign of Henry 6th, being a period of 150 years, during the whole of which every freeman in the country had a right to vote for the return of Representatives to Parliament. By the 25th of Edward 3rd it was enacted, that no freeman should on any pretence be deprived of his franchise. This Act appeared to be altogether overlooked by the noble Lord in making the present Bill, for it would have the effect of disfranchising very many persons indeed. By an Act passed in the reign of Edward 1st, it was enacted, that Sheriffs, and other civil authorities, should be elected by the people, and that no other qualification should be required to entitle a man to vote than that of being a male, and being also of age. The hon. Member referred to various statutes, such as 3 Edw. 1st c. 5; 34 Edw. 1st c. 4; 25 Edw. 3rd c. 4; 4 Rich. 2nd c. 7, and 7 Hen. 4th, c. 5, in order to show that every man had a right to the elective franchise, down to the time of the great disfranchisement Act, passed in the 8th of Henry 6th. This latter Act, however, stated, that as elections had been made by an outrageous number of persons of no substance, and of small value, yet whose pretensions to vote were as great as those of knights and gentry, it was thereby ordained, that all voters at elections for counties should be freeholders to the extent of 40*s.* per year. This Act at once disfranchised three-fourths of the electors of the whole kingdom. He had always been, as was well known, an advocate for Annual Parliaments, which were no novelty in this country; for by the 4th of Edward 3rd it was enacted that, in order to remedy public grievances, a Parliament should be holden every year. All these Acts to which he had referred, justified him in saying, that the ancient Constitution of the country consisted in Annual Parliaments and Universal Suffrage; and that he had been the advocate of no new doctrine, but of one which had actually been in existence for a period of 150 years. His proposition was, that all housekeepers paying rates and taxes, as in Westminster, should be allowed to vote at elections all over the kingdom. The clause of the noble Lord (Lord John Russell) went further than this in some respects, for it went, in London and its suburbs, to the full extent of Universal Suffrage of householders. But he would ask, how this clause would operate in Manchester, Bolton, and other great towns throughout the country? Its operation would be most unequal, for in London there were no houses under 10*l.* per annum, while in the other towns of England, the average rents of the houses of the working classes were from 5*l.* to 7*l.*; and yet many of the inhabitants of the latter class of houses were in a far higher state of comfort and independence, and better qualified to vote, than those who occupied 10*l.* houses in the metropolis. There were 7,000,000 of the male adults in the kingdom who would have no share in the Representation, and 1,000,000 only who would. Such a measure could not give satisfaction, and the effect of his Amendment would be, to diminish the displeasure which would naturally be felt. As the clause now stood, a great part of the 10*l.* householders would have no vote at all, and therefore it was a delusion to say, that the whole of the 10*l.* householders would be admitted to the elective franchise. He offered the present proposition with a view of rendering the Bill more simple in its details and in its operation, and to relieve it from the difficulties and perplexities which it must otherwise be involved in. Ultimately, he was convinced, that his motion must be carried into effect, though Ministers might have made up their minds to reject it at present. In his opinion the franchise ought to be extended much further; but he was content to give up a great deal, in order to meet the wishes of those who did not go the full extent that he was prepared to go. He did not anticipate that Government was prepared to adopt his Resolution, but he brought it forward as a matter of principle; and, though it might not now be conceded, he had no doubt but he should live to see the day when it would be adopted. He was of opinion that every man was entitled to a vote; but, as the House would not go that length with him, he would confine himself to the present motion. Though the Ministers might not agree with him, yet he would not on that account impute to them improper motives; for he believed they were doing what they thought best. In the discussions upon Calne, and one or two other boroughs, he might have said and thought that their conduct was very curious; but he now divested himself of all such feelings, and was willing to admit, that Ministers had no other view than that of forming what they conceived to be a fair system of Representation. If they anticipated, that trade and commerce would revive immediately after the passing of the Reform Bill, they might then fairly expect that it would give universal satisfaction; but he expected no such immediate revival of trade, and could not, therefore, anticipate any general satisfaction from a Bill which was so partial in its operation. The hon. Member concluded by moving "That, after the words 'legal incapacity' in the clause, there be introduced the words 'that all persons being householders, and paying rates and taxes, shall be entitled to vote for Representatives in Parliament.'"

The Amendment having been put,

Lord *Althorp* would not follow the hon. Member through the statements he had made, as he had fairly acknowledged he did not expect the House would concur in his proposition. The hon. Member assumed, that every man who paid taxes, directly or indirectly, or who paid scot or lot, had a right to vote for Representatives. No doubt the proposition of the hon. Member was a very simple one; but it was equally true, that it was contrary to the principle of this Bill, which had been approved of by a large majority of the country. It would alter the whole character of the Bill, and make the elective franchise depend upon mere personal rights. If the Bill were framed on the principle which was proposed by the hon. Gentleman, it would be impossible to carry such a Bill through Parliament. It would be impossible to carry any Bill, founded on the principle of Universal Suffrage, or a principle next to that of Universal Suffrage; and the adoption of such a proposition as that brought forward by the hon. Member, would alarm a very large class of sincere and honest reformers. He objected to the proposition of the hon. Member as being one, that would extend the elective franchise too far in this country, and he objected to it in the second place because the adoption of such a proposition would effectually prevent the success of any reform at all. On those grounds he would oppose the proposition which had been made by the hon. Member.

Colonel *Conolly* was decidedly opposed, both to the clause itself, and to the Amendment. It was calculated to degrade the constituency, and this he said from sad experience in the part of the empire with which he was particularly connected. The effect of the Amendment would be, entirely to swamp the middle orders, and virtually to disfranchise them by the multitude of pauper voters that this measure would introduce. Those classes of society which he always understood to be the most virtuous and intelligent and independent in the country, would be sacrificed for the purpose of giving an undue influence and power to that class who would necessarily make a bad use of it. The great objection to the whole measure was, that its principle was too democratic. After the evils that had followed from the introduction of such a class of voters in Ireland, and whom they had been compelled to disfranchise, it was absurd to run the risk of introducing such persons into the elective franchise in England, who, in all probability, would select their Representatives from the same stamp as themselves, to the exclusion of persons of talent and integrity, who would be chosen by the middle orders. If this clause of the Bill were agreed to, even as it stood, where, as the hon. member for Preston said, were they to stop? Much injury had been already done by the hopes that were excited abroad—hopes of improvement which could not be realised, and, he was sorry to say, hopes of pulling down the aristocracy. It was impossible that the expectations excited could be realised; and nothing but disappointment would follow from the Bill. It was clear from the Amendment proposed by the member for Preston, that Ministers had only baited the trap for further spoliation. The noble Lord (Althorp) went far beyond his own principle in some of the alterations made in the Bill. He alluded to such places as Dorchester being disfranchised, while, on the other hand, some contemptible towns, owing to some local cause, retained their Representatives. The consequences would be, that by endeavouring to please all, they would please none. Besides the more general and extensive rights which were cut up by the measure, a great amount of individual and private rights were also destroyed. The people, for a time, had been strongly excited, but they were now returning to reason. He should be disposed to propose rather an increase of the qualification than a reduction of it. He had from the beginning, and should continue to oppose the whole measure, the tendency of which was, to throw the Representation into the hands of those who would not use it for the benefit of the State.

Mr. Serjeant *Wilde* said, that an exceedingly minute portion of the gallant Colonel's speech had reference to the clause under the consideration of the Committee, and, with that exception, the gallant Colonel's oration might just as well have been delivered upon the second reading of the Bill as upon the present occasion. The adoption of the proposition of the hon. member for Preston would tend more to destroy the hopes and wishes of the reformers, than any thing that had been as yet proposed by any opponent of the Bill on the other side of the House. The friends of Reform had been wise in rallying round the measure which had been proposed by Ministers, and they would equally show their wisdom in rejecting a proposition like the present, which was totally inconsistent with the principle of that measure. He begged to say to the hon. member for Preston, that if there were no probability of obtaining such a state of Representation as he wished at the present moment, and from the present Government, he was only aiding the enemies of reform by pressing amendments upon Ministers. He submitted to him, whether he was not at least running a risk of helping the adversaries of the measure. The friends of Reform had but one course to pursue, and that was, to obtain the good which was within their reach, instead of impeding the measure by cavilling at the details, which, although in some instances imperfect, were still very far superior to the present system. This had been taken advantage of by hon. Gentlemen opposite, who lost no opportunity of finding fault with all the provisions of the Bill. The same parties who were the advocates for admitting small farmers and tenants-at-will (the most unfortunate of all people on the subjects of taxes, tithes, and rent), were also so inconsistent as to contend, that the measure was too democratic, and would affect the stability of Government, and facilitate an attack upon the Church and other property. The friends of Reform had been generally returned at the late election on the principle that each should forego something of his own particular views to further the measure introduced by Government; and yet those Gentlemen were daily recommending changes which would certainly tend to the defeat of the whole; for, if its character was materially changed, their reforming constituents would withdraw their countenance from the measure, which the opposite parties would be very ready to take advantage of. He would not enter into the whole question, whether it was wise to extend the franchise to the length proposed by the hon. member for Preston, but, as Representative of a scot-and-lot borough, which contained about 1,700 voters, of whom, perhaps about 400 were 10*l.* householders, and the remainder occupied tenements, of less value, he was materially interested in promoting the extension of the suffrage. His return had been principally effected by the smaller occupiers, who were a most independent and worthy constituency, and had deprived themselves of the necessaries of life to ensure his return. That was not, however, to benefit their own interests exclusively, but to forward the general measure of reform, which he should at all times advocate. He trusted, therefore, that other hon. Members, as well as himself, would not attempt to urge their own exclusive views, as that would certainly tend to defeat the measure in another place. Let them secure the good which was within their reach, rather than hazard that by endeavouring to obtain more.

Mr. *Hunt* said, the hon. and learned Member had merely repeated the cuckoo-cry—"The Bill, the whole Bill, and nothing but the Bill;"—and had undertaken to lecture other hon. Members upon the impolicy of delaying the measure, but he (Mr. Hunt), had always asserted, that it was his intention to bring his present Amendment forward at the proper opportunity; and therefore, there was no reason whatever for the hon. and learned Gentleman to accuse him of delaying the Bill. The hon. and learned Serjeant was himself much more open to such an imputation, by occupying so much time in an extraneous and prolix argument, which appeared to have no other object than to eulogize his own constituents. Notwithstanding this, however, he should divide the Committee on the first part of his proposition, and he would move the second part of his proposition, although he would not upon that part of it press to a division.

Mr. *Croker* would oppose the hon. Member's Amendment, on the ground that it would have the effect of supporting the principle of the Bill itself.

The Committee divided on the Amendment:—Ayes 1; Noes 123.—Majority 122.

Colonel *Davies* rose to propose his Amendment, which he felt justified in once more bringing forward, as his object was, to provide an effective constituency for all boroughs and cities, by enacting that the owners of freeholds within them should vote at the election of Members for such cities and boroughs, and not at the county elections. As some hon. Members, had not heard the arguments used when the subject had before been under discussion, and as some had since assured him they did not know on what they were voting, and as the Amendment seemed to him a most important one, he took this opportunity of again proposing it. It appeared to him an anomaly in the Bill which ought to be corrected, that voters were taken from towns and boroughs to make up a county constituency, and, on the other hand, persons connected with the counties were taken from them to vote for towns. It would be much better to leave their own voters to each. By one of the provisions of the Bill, large electoral districts were to be created from the counties; of these there would be seven in Devonshire; six in Sussex; and eight in Wiltshire; and in every one of them the tenants at will of 50*l.* would be taken from them, and merged in the borough constituencies, which was not the only encroachment the county constituencies would sustain. There were ninety-three of the boroughs in which 300 10*l.* houses could not be found, and to which the voters of the adjoining parishes must be added to obtain a sufficient constituency. This must give rise to great inconvenience and to endless controversy. The independence of the boroughs would be thus greatly impaired, and in some cases annihilated. He would take East Grinstead for instance. In that borough there were only 120 houses rented at 10*l.*, and they must go to the county for 250 electors. In Amersham there were only ninety 10*l.* houses, and 210 voters must be brought in from the adjoining county. Why incur so much inconvenience when it could be so easily avoided. It was necessary, if they desired to retain the independence of boroughs, to guard them against an influx of voters who could have no feelings of interest in common with them. It would also be necessary if they wished to do justice to the counties, not to allow so large a portion of their constituency to be swallowed up in boroughs and electoral districts. It was obvious this part of the Bill must be amended, for the provisions were nothing more than a mass of contradictions and absurdities a confused and irrational heap—which would create greater bickerings and more bitter heart-burnings than could have been imagined. A much higher authority than his, that of the Lord Chancellor, was opposed to such a principle as this, as appeared by a passage from a speech of that noble and learned person, referred to last Saturday by an hon. Member. To avoid the inconvenience of this and of other parts of the Bill, they must ultimately have recourse to the Ballot. The measure had of late fallen very much in public estimation, even in the city of London. He did not mean that Reform had fallen in public estimation, but the Bill certainly had. People began to think it impossible that its arrangements could be carried into operation. Some Members thought so, but said, never mind, let us have the Bill, and it can be altered afterwards. He should regret if every endeavour was not made to amend it, and to get it out of the Committee as perfect as possible. If this was not done, they would be called upon, in a year or two, to break up the whole measure. Many friends of Reform considered the Bill to be very ill-constructed—that it contained an extraordinary number of anomalies; but they were afraid to vote against it, because they apprehended their opposition would be considered as applying to the principle of Reform itself, rather than to the anomalies of the Bill, which few persons but those who had gone through the details, would believe it contained. If it were ultimately to be good for anything, it required many and very serious amendments. He would move, "That persons resident in towns or boroughs having the right of voting, should be restricted from voting at elections for the counties in which such towns or boroughs were situated."

Mr. Alderman *Wood* said, it appeared as if the only obnoxious words which could be used in the House were "No, no," although "Hear, hear," were, similarly treated. He would assert, that there was not the least change in the minds of the Livery of the city of London, and he would contend, and prove the assertion if necessary, that there was not any adverse feeling to this Bill in that City. He considered that owners of freeholds in London should have a vote for the City quite as much as for the county; but on calling a meeting of the Livery to ascertain the point, he found that they objected to the principle of the freeholders voting for the City, and moreover, the freeholders themselves desired that they might vote for the county, and had no desire to vote for the city. Such were the feelings which generally prevailed. The citizens of London had early voted for this Bill, although an objection was urged to the clause for giving to tenants at will of 50*l.* a right of voting. His constituents were decidedly in favour of the great principles of the Bill, without any regard to its subdivisions, as they always were devoted to the public good.

Mr. Alderman *Waithman* had purposely abstained from making any observations in the course of the numerous discussions which had taken place, because he was friendly to the Reform Bill, and was exceedingly anxious not to be in any wise instrumental in retarding it. He could not, however, hear the hon. and gallant Officer make such assertions, respecting what he had been pleased to describe as the altered opinions of the citizens of London with respect to the Bill, without noticing the remark. From whom had the hon. and gallant Gentleman derived his information? He had given his opinions with great confidence, but they were inaccurate as far as the notions of the citizens of London were concerned. He (Mr. Alderman Waithman) had seen many influential men, whose opinions were entitled to great weight, intimately connected with the City, and he could say with great confidence, that their opinions had undergone no change as to the Bill. There was but one feeling in the City upon that subject, and there was unanimous disgust expressed at the continued obstructions given to the measure, which occasioned so much delay in passing it, by parties, too, who professed to be friendly to the Bill. He could assure the House, that this feeling of disgust was universal among his constituents. It was far from his wish to impute improper motives to the conduct of some hon. Gentlemen who had declared themselves friendly to the general principle of the Bill, but who had, nevertheless, taken those steps which had of necessity delayed it in its progress through that House. He must be permitted to say, that it appeared to him they were playing the enemy's game by such a mode of proceeding. He deeply regretted what had transpired within the last six or seven days, as it had tended to prevent the measure from being advanced—a measure to which the eyes of the whole country were directed. But it had been again and again repeated, that the people did not understand the Bill. They did understand it—and they had elected so many Members of that House who had declared themselves favourable to it, in order that it might pass. He hoped that now, when so much time had been lost in useless discussion, and so many obstructions had been thrown in the way of the Bill, that his Majesty's Ministers would assume a bolder tone, and proceed with more vigour. The humble advice which he would venture to give, should these obstructions be continued (for the object of them could not be mistaken), was, that Ministers would cause the House to assemble at ten o'cloc in the morning, instead of three in the afternoon. He did not like to pledge himself, otherwise he would give notice of a motion for the House to meet at the period he had named; but he really hoped that, if there were a necessity for it, his Majesty's Ministers would act as he had suggested. Complaints had been made that the present Government had interfered at the elections; but did hon. Gentlemen who made these assertions, forget what other Governments had done? Why, it was well known that all Governments had interfered, and as long as such a system existed they would interfere. The accounts at the Treasury would show that. When the right hon. member for Tamworth was a candidate for Oxford—

The Chairman (Mr. *Bernal*) interposed, and said, that the worthy Alderman was out of order.

Mr. Alderman *Waithman* said, he would not detain the Committee longer, and in conclusion he repeated his objections to the system of obstructions which had been cast in the way of the Bill; obstructions which appeared to him admirably calculated to suit the views of the avowed enemies of the measure.

Lord *Althorp* said, that with respect to the motion of the hon. and gallant Officer opposite, it had been discussed in principle, and decided before; and as the gallant Officer had set out by saying, that he hoped for a considerable minority at least, he (Lord Althorp) trusted, that as soon as the hon. and gallant Mover found that his support would be inconsiderable, he would withdraw his Motion. The object was the same as that of the former motion; and it was scarcely to be expected that the House could now be prevailed on to give it their sanction, especially after the debate of last night, which showed as clearly as anything could, the mischievous effects of giving the franchise, to 40*s*. freeholders in large towns. In small towns the case would be still worse; for one or two individuals could easily command the suffrages of the freeholders in such circumstances. He fully agreed with those who thought, that it was not at all desirable to annex county districts to boroughs; and that was a course, in the framing of the Bill, which had not been resorted to in any case wherein it could be avoided. The persons living near a borough, and those living within it, were not opposed in interest to each other. The tradespeople were employed by the neighbouring farmers, and it might naturally be presumed, that their sentiments and feelings were in unison; and small towns would return, in most instances, persons attached to the landed interest. His gallant friend was in error as to the number of towns to which it would be necessary for the Commissioners to annex the rural population in the suburbs, for the purpose of securing a broad base of constituency. His gallant friend had rated these towns at ninety-two, while, in point of fact, they would not be more than one-third, of that number; and of this one-third the instance of the annexed rural electors outnumbering the town voters would be so very rare as to be the exception to the rule. His gallant friend was, besides, influenced by a mischievous fallacy in supposing, that the town and the rural electors would in these cases be influenced by such clashing motives in the choice of Representatives, that the latter would prevail, unless the former received the aid of his Amendment. There was, and would be, in point of fact, no such contrariety of interests; for the farmers in the neighbourhood being the best customers of the tradesmen in the towns, there would be but one common interest between them. Besides, it was always considered and admitted, that the smaller towns to which a rural elective population was to be annexed, should return on what, for brevity, he would call the agricultural interest; so that the very argument of his gallant friend for strengthening the town electors against that interest was, in point of fact, a valid objection to its being adopted. In a word, then, in the large towns the Amendment could effect no practical advantage: in the smaller towns it would, besides throwing an undue influence in the hands of the proprietors of the freeholds, lead to great practical inconvenience.

Sir *Edward Sugden* said, as the main principle of this Amendment had already been discussed, he would not enter at any length into it at present, further than to assert, that the adoption of the proposition would be attended with great benefit. The noble Lord had asserted, there would not be more than thirty boroughs which would require to have surrounding districts annexed to them, but he was satisfied that ninety rural districts would merge in the town population, without any good effect, if this Amendment were not agreed to. He could not consider it fair that the large freeholder was to vote as a householder for a town, and the smaller ones, who could be created in abundance, sent to deluge the county Representation. In many cities and boroughs, the freeholders in them had no right to vote either for them, or for the county in which they were situated. Certainly such persons should be admitted to the enjoyment of the franchise, but it ought to be confined to the places of their residence. There were two classes of freeholders to be dealt with under this third Bill of the Government, and these two classes were, the one, as in the city of London, where such voters were now to be created; and the second, that which applied to the freeholders who were to be disfranchised. The conduct of the Livery of London had been alluded to, and why, he would ask, should the Livery refuse to allow their-fellow citizens a vote for the city, and be so anxious to throw them on the county of Middlesex, while their property was in the city of London? The truth was, that the Livery of London had shewn themselves to be most interested parties. They most illiberally refused, although these freeholders were their landlords and neighbours, to allow them to participate in the franchise for the city, but were most willing to throw them upon the county. The object of giving the rural population a right of voting was admitted to be, to balance the democracy introduced by this Bill, and he therefore could not see upon what principle this Amendment was now objected to by the noble Lord. From the new franchises which were given in Surrey, added to the proposed division of the county, the borough of Southwark would necessarily have a powerful influence in electing the Members for one of the divisions, and the Representation of the county would be a nullity if this Amendment were not carried. The noble Lord had referred to the discussion of yesterday, relating to the Dublin Election, and had declared that debate shewed the evil effects of bestowing the franchise upon 40*s*. freeholders of towns, but that proved nothing, for it appeared the needy freemen were equally open to the influence of bribery with the needy and fictitious freeholders. The amendment relating to tenants at will, had been objected to on a former occasion, but there was no such tenancy in law, inasmuch as the tenant must be in possession for a year, with notice to quit, as the case might be, before he could have the right of voting. If that were so, the tenant of *5l.* or 10*l.* or 500*l.* would be equally under the influence of his landlord, as the tenant at will; and yet to the 10*l.* renter in towns the right of voting had been given without much hesitation, although it must be obvious that allowing a 10*l.* householder, without any regard to the time of occupation, whether in the rural district, or the town itself, a vote, must allow of a greater influence being exercised over them, than in the more independent and intelligent class of farmers, who had property, and must receive a long notice. He had always opposed this Bill, from the most honest motives—he would still continue to do so, and, though he would not divide the House, he would support the Amendment.

Mr. *Cutlar Fergusson* said, that he had supported this Bill most sincerely, but he would not surrender his own opinion to endeavour to improve it, notwithstanding the censure passed upon all such persons by the worthy Alderman. The House would be wholly unmindful of the interests of its constituents, if it adopted the course the worthy Alderman was pleased to recommend, and abandoned the principle and details of the Bill to chance. The Amendment now proposed had been already discussed. He then had not made his mind up on it, but he would now support it, as being actually necessary. The object of the original clause he understood to be, to separate the constituents of the counties and towns entirely. He feared this arrangement had been departed from in the amended clause, and that its effect would be, to make the election of the county Members depend on the poorer classes of freeholders in towns. He had understood this was a result to be avoided, but this clause, as now worded, would infallibly produce that consequence. The large populous towns should not be let loose upon the county Representation. For instance, Birmingham would influence the returns of one division of Warwickshire; Leeds, Sheffield, Huddersfield, and other large towns, would do the same with the West Riding of Yorkshire, and instead of an agricultural, they would have a manufacturing county Representation. Could there be any doubt, if the freeholders of the city, and the smaller freeholders of the metropolitan suburbs, or boroughs, were annexed to the county of Middlesex, that they would control the choice of its Members? It was most essential to keep the constituency of large towns and counties entirely apart. He protested against the large manufacturing towns holding any influence over county elections, which they would have if this clause was allowed to stand. He did not mean to go so far in his objection as to desire that the freeholders of towns, who had no Representatives of their own, should not vote at county elections. They would, undoubtedly, have a considerable share in the return of county Members, but that was desirable, as they had no other Representative. If the Amendment was pushed to a division, he should certainly vote for it.

Lord *John Russell* said, that the hon. Gentleman had changed his opinions upon this question, for which he did not blame him, although he was not prepared to say, that it was desirable that the Representatives of counties should be chosen entirely by agricultural constituents; nor did he believe, confining the freeholders to vote at their place of residence in towns would have that effect, but would be mischievous on other accounts. Property, he believed, would be cut up, in small proportions for the purpose of creating votes, and they would thus re-establish with one hand the nomination they were endeavouring to put down with the other. He regretted, that his hon. and gallant friend, the member for Worcester, should have brought forward his Amendment, for the Committee should consider, that a great change had been made in this Bill, by the motion of the noble Marquis (the Marquis of Chandos), to admit tenants at will for the amount of 50*l.* per annum, having been sanctioned by the Committee. He (Lord J. Russell) could not agree to the proposed Amendment of the gallant Officer, who had found out that the Government was now unpopular, and therefore held out his helping hand to reinstate it in the public confidence. It was with a view to prevent abuses in the smaller boroughs that he would oppose the Amendment of his hon. friend. He believed, for the reasons he had given, that it was necessary to confine the rights of voting to householders of a certain description in all boroughs and towns.

Mr. *Croker* believed it would be found necessary to separate the districts for counties, for the reasons urged by the hon. and learned member for Kirkcudbright, but he considered, that the amended 18th clause, which was agreed to on Saturday, would materially narrow the question now under discussion, and render the present Amendment the less necessary. Indeed, there was very little difference between the views of both sides of the House, as to the Representation of incorporeal rights, to which this Amendment would in some degree apply. The chief objection of the noble Lord was this; if these small freeholds were to be confined to towns, they would be liable to abuse, and therefore, he threw the abuse into the county, where they would be much less liable to detection, and would be lost in the mass of voters; while, if they were to remain in the towns, it would be the interest and desire of all parties to submit them to a severe scrutiny. It would be equally the interest of the townspeople, if these electors were to merge in the county, that they should be increased, because it would tend to carry off their populace, and give them influence in the county as well as in the town; and from the parties being well known to some leading man or demagogue, they would be subject in a mass to his influence. What an opening for abuse was here! It would be necessary to provide a remedy against fictitious voters in all cases, a circumstance which did not seem to have occurred to any hon. Gentleman at either side of the House until this moment. By clause 18th, if it was altered as he supposed, a large proportion of the town constituency would be restricted from voting in counties, and thus prevented from committing abuses; and he could really see no very valid or pressing necessity for the Amendment of the gallant Member.

Lord *Althorp* said, if the right hon. Gentleman had looked completely at the 18th clause, as amended, he would have observed, that persons could not obtain a right of voting for counties by owning a house occupied by another in a borough, and the same rule applied also to lands within the precincts of a borough. This would of course deduct all such persons from the constituency of counties, but the proposition of the hon. member for Worcester did not apply to this, because it was the intention of the 18th clause to disqualify all persons from voting for counties who could acquire the privilege of voting in towns, on the principle of a 10*l.* householder, and if the right of voting was confined to persons only having that qualification, the smaller freeholders, unless they were to vote for the county, would be disfranchised. But the hon. Member wished, by his Amendment, to allow these to vote for the town rather than the county: this was opposed, on the principle of preventing the creation of votes by the division of estates, and the erection of small tenements upon them, which would create many fictitious votes, and would thereby enable a considerable proprietor to overpower the *bonâ fide* householders and the respectable part of the constituency. The right hon. Gentleman, however, said, if this was bad in a town, it would also be bad in the county; but he had himself given an answer to his own objection, when he asserted, that they would be merged in the mass of freeholds, and there would, therefore, be less inducement to make them; a proprietor might still grant freeholds of inheritance, but it was not likely he would permanently alienate his property.

Mr. *Praed* considered the proposed Amendment to be of the greatest importance. The objections of the noble Lord to the argument of his right hon. friend, had failed in this essential particular, that although it was evident there would be less inducement to create fictitious freeholds in towns, by the voters being merged in the county, yet there would be great inducements to do so, to obtain influence in the county, as well as in the town. The opposing influences of the towns would prevent much abuse on either side, from the voters being there well known; yet if such parties were to be sent to a county election, where they were wholly strangers, by whom or by what means could such abuses be detected, particularly when it would be the interest of all parties in the towns to carry their populace to vote for the county. He must say, he thought the Opposition had not been fairly treated, when they were denied the opportunity of having a division on this principle of the Bill, when it was formerly under discussion. The only discussion which had taken place upon this part of the Bill, related to the separation of the town and county constituency, which as far as it went, he opposed. But it had not gone far enough; and no sufficient attention had been paid to the particular circumstances of each case. The advocates of the Bill said, that clause 18th would simplify the mode of dealing with the county constituency, and render the electors independent; but he was quite of a different opinion. On Saturday last he had briefly stated the reasons upon which he came to this conclusion; and to-night he certainly must confess that he heard the opinions of the noble Lord (Lord Althorp) with perfect astonishment. One of the principles laid down, by the noble Lord was, that Representatives were to be given to great towns, which were to give up the right of voting for counties. Thus Members were to be given to Manchester, for instance, and the voters of that town would lose the right of voting for the county of Lancaster, on condition of having Representatives of their town. It was of no consequence, on this principle, how they selected the qualification, whether, according to the hon. member for Preston, for "scot or lot" or confined it to the lord of 10,000 acres. In either case the principle of separation was clear, and why then give double and complex rights of voting? Such were the extremes and the incongruities of this most notable Bill. Why had any man a vote given to him, except for the protection of his property? And why should any man have such a right, if it were not for the place in which his property was situated? Why should two interests be created for one property, or, in other words, two voters for it? What was the reason, he asked, for all that? The reply was, to make the Representation of towns more simple; but in proportion as this was done, the complexity and confusion of that of the counties was as much increased. Some objection was taken to the respectability of the 40*s.* freeholders if they were permitted to vote for counties, but the rural part of the population, living in the neighbouring towns, were as well entitled to the right of voting for Members as any other class of voters. Why should they be denied the exercise of a right? At all events, why deny the right to the present holders for the period of their lives, even if it were to be denied to their descendants? The original Bill, as to the right of voting, was based upon the payment of the assessed taxes; but out of seventy-two places which were referred to, it was said that forty-five would have an insufficient number of constituents, without having recourse to the neighbouring districts to supply the number of 300; but that he, believed, was very erroneous. From the information since laid upon the Table, it appeared that a great proportion of these seventy-two boroughs had, within their own limits, the necessary number of 10*l.* houses, and would return Members independent of the agricultural population. Then, if they looked at the actual number of houses, they would find that in Devonshire the boroughs and towns contained 13,000 10*l.* houses, and the county but 6,000, the boroughs were to return ten Members, and the county four. In Dorsetshire the boroughs contained 1,370 10*l.* houses, and the county 1,600; the former were to return eight Members and the county but three. In Berkshire the proportion was nearly the same. In Hertfordshire the boroughs had 559 10*l.* houses, and were to return four Members, while the county had 2,391, and was to return only three, the boroughs, therefore, returned more Members, in proportion to property, than counties. Looking to history, he found, that the Representatives of rural populations were opposed to change, whilst the cry of movement and revolution proceeded from the inhabitants of towns, and their Representatives. Considering as he did that the agricultural interests were not fully represented, he should support the Amendment.

Mr. *Maberly* had observed with surprise, that his hon. and gallant friend had, after the division, waited some considerable time, till certain gentlemen who gave the proceedings of that House to the public the next morning had taken their seats. And he was the more surprised at it, because the declaration which his hon. friend had made was calculated to injure the measure, if his hon. friend could persuade the public to believe, that the Members on the Ministerial side of the House had changed their opinions. He, however, denied that they had changed their opinions, and he begged to refer to their votes in proof of that denial. He did not intend to accuse other hon. Gentlemen, who had spoken fifty times, and had repeated the same things three or four times in each of those fifty speeches, of having done so with a view to delay. He must admit that they had a right to make as many speeches as they pleased; but at the same time he must observe, that such a course did not suit the convenience of the House.

Mr. Alderman *Wood* begged to be permitted to state the case exactly, so far as the Livery of London were concerned, who had been alluded to frequently in the Debate. It had been asserted, that the Livery were unwilling that the city freeholders, at the most amounting to about 200 persons, should have the right of voting for the city, but desired them to be sent to the county. This was rather an extraordinary assertion, in the face of the fact, that his constituents had expressed no jealousy at 3,000 or 4,000 householders being added to their numbers.

Mr. *Lawley* begged to assure the hon. Gentleman opposite (Mr. Praed), that the remark he had made, relative to Birmingham returning the Members for Warwickshire, was not well founded. He himself was an example to the contrary, as he had been returned by the agricultural interest, in opposition to his hon. opponent, who had been chiefly supported by the manufacturing interest.

Mr. *Praed* said, he had only meant to affirm, and he remained still of the same opinion, that Birmingham exercised a considerable influence in Warwickshire.

Mr. *John Weyland* said, the great increase of some manufacturing towns had led to more than a proportionate increase of freeholders within them; so much so, that he had reason to believe, that in some counties they considerably outnumbered the rural constituency. This clause would necessarily have the effect of driving the class of small voters in the towns into the counties; they would be multiplied, and the result would be, that the agricultural interests would be lost in the House. He would support the motion of the gallant Colonel, because, if it were not carried, the counties would be sluiced with voters from the towns of the lowest classes. It tended to decrease a great evil. He would throw every obstacle in the way of the 10*l.* voters, which would open the door to numberless frauds—would let in the occupiers of small tenements in the suburbs of large towns, and would exclude respectable persons in remote parts of the country.

Colonel *Sibthorp* found it his bounden duty to vote for the motion of the gallant Colonel. He was always happy to support a reformer against another of the same stamp. This whole measure increased the inequality against the landed interests, which the noble Lord (Lord Althorp), declared already existed; and he felt it necessary upon all occasions to express a decided opposition to so odious a measure. He knew, that there was always a difficulty in obtaining a hearing, because he always thrust it home. He believed that the Gentlemen opposite did not like to hear him, because he generally touched them on the raw, as had been said by the First Lord of the Admiralty. The people were beginning to find out, that the Ministers were humbugging them; that while they professed Reform, they were creating nomination boroughs, such as Woolwich, Chatham, and Plymouth, which would give them an influence they ought not to possess. He opposed the Bill, the whole Bill, and every part of the Bill, and would oppose it.

Mr. *Sadler* called the attention of Ministers to the fact, that the towns afforded a constituency to the counties, in the proportion of two to one, more than the agricultural population. He wished the small freeholders to be confined to the towns with which they were connected. Had he known this proposition was to have been brought forward to-night, he should have furnished himself with some data, which he had selected, showing what would be the probable effects of the working of the system in each county. In towns it was evident there was a more complete identification of interests, and a greater union of action, than in counties. The result would be, that the Members given to the towns would represent them, and, by the working of this measure, a manufacturing constituency would be added to the counties in such numbers as would overwhelm the agriculturists.

Mr. *Hunt* said, that freeholders of the towns had always had votes for the counties; and therefore they could not overwhelm them now, particularly as in the counties the copyholders and leaseholders had been added to the freeholders. The Bill, in his opinion, would have a contrary effect from that described by the hon. Member who spoke last.

Colonel *Davies* denied, that he was hostile to the Bill: he was only hostile to its defects, and he was anxious to make it as perfect as possible. It had been attempted to be denied that hon. Members had changed their minds on the Bill, and their votes had been referred to as a proof of that assertion; but many had stated they perceived great difficulties in the working of the various clauses, but they would not endanger the great principles of it by their opposition, preferring to amend the evils they anticipated by amendments afterwards. Some of these evils, however, were so notorious that they ought not to be overlooked. In Leeds, for instance, there were 2,300 freeholders; 500 of these only would have votes for the town, these were the most wealthy and respectable portion, and the remaining 1,800 smaller freeholders would be sent to deluge the county. To some of the boroughs they would have to add large districts to make up 300 constituents; for Northallerton they must go sixteen miles. If the Ministers had brought in a bill only to disfranchise the boroughs, and to enfranchise the large towns, they might have been sure to carry a bill of that kind, and all the minor points might have been discussed at leisure.

The Committee divided on the amendment. Ayes 136; Noes 225—Majority 89.

Colonel *Davies* finding the sense of the Committee to be decidedly against the Motion, which was one of a series of measures intended to secure to boroughs a constituency within their limits, he should not bring forward his proposition for extending, in certain cases, the right of voting to the occupiers of houses at a rent of 5*l*.

The *Chairman* read the resolutions for filling up the various blanks in clause 21. Agreed to without opposition.

On the question "That the occupier of any house, assessed to the duty on inhabited houses, upon a yearly value of not less than 10*l*., or of the clear yearly value of not less than 10*l*., or rated to the relief of the poor upon a yearly value of not less than 10*l*., or *bonâ fide* liable to a yearly rent of not less than 10*l*., shall have a right to vote"—

Sir *Edward Sugden* called the attention of the noble Lord to the very objectionable wording of so important a part of the Bill. As the clause now stood, there were four different methods of ascertaining the fact of qualification—namely, assessment to the inhabited house duty at a yearly value of 10*l*., or rated to the relief of the poor—or of the clear yearly value or liable to a rent of 10*l*. Now, he need not tell the noble Lord, or any Magistrate, how much difficulty was often experienced at Quarter Sessions in ascertaining the point of the value of a tenement for the purpose of assessment, and how much it was in the power of the owner to bring evidence to prove his tenement to be worth more or less, according to the object he wished to effect. It would be exceedingly desirable to ascertain what was the precise object of the framers of the Bill with respect to this clause, and whether they intended to give the franchise to one class, or to all the classes comprised in the clause. For his part, he thought the clause was worded in a manner both confused and highly objectionable, and that with respect to that part—the proof of the yearly value—it would give rise to the greatest confusion, embarrassment, and imposition.

Lord *Althorp* had repeatedly observed, that it was the intention of Government to give the franchise to all the householders in boroughs, whose tenements were of the yearly value of 10*l*.; and he must say, that as the price paid by the tenant to the landlord at once showed the value, he did not anticipate any difficulty in cases so circumstanced commented on by the hon. and learned Gentleman. Where a man lived in his own house, and claimed to vote for it, he must prove its adequate value, and the tax-gatherer would immediately advance his rates upon such premises accordingly, if necessary In cases where the tenant did not probably pay 10*l*., but where he claimed to have his house considered of the yearly value of 10*l*., there might be some necessity for inquiry; but the cases of that kind would, he believed, be very few; and it was impossible, in fairness, to exclude those who had a house of much more than the value of 10*l*., but who had, perhaps, paid a fine to reduce the rent from the privilege of voting granted to others.

Sir *Edward Sugden* observed, that as the clause stood the man rated at 8*l*. would have to bring a host of surveyors to prove it was worth 10*l*. per annum. This was a state of things which must lead to great difficulties. The best criterion would be the rent he was paying. The clause should not be suffered to pass without amendment. The noble Lord's idea upon the subject was this: if a house was rated at 8*l*., and the occupier could prove that it was worth 10*l*., a year the assessment must immediately rise to 10*l*.

Lord *Althorp* did not mean to say a man paying 8*l*. per annum should be assessed at 10*l*.

Mr. *William Peel* said, he considered the clause now under consideration at once the most important and the most objectionable of all the clauses in the Bill, and one which went, more than any other, to increase democratic influence in this country. The clause was intended to give a vote to all householders of 10*l.* a year; and the consequence would be, that in all the great commercial and manufacturing towns, the householders of that kind would overwhelm all the other portions of the constituency. In the inland county towns, there might be 1,000 houses, and perhaps not more than 100 10*l.* houses among them; but in the great commercial towns there were perhaps 10,000 houses, every one of which might be rated at ten pounds a year. What would be the consequence of this? Why, that the occupiers of the small houses would command all the influence of every election. Did they, therefore, suppose, that with such a constituency the Bill would put a stop to bribery, or improve the character of the Representation? It was said, however, that the country called for this kind of Reform. He answered at once, that it did not; and although they were told that there was a general call for it, and that it would satisfy all classes, he put it to the House, whether it had not heard Reformers frequently declare, that they would not be satisfied, and that they merely took this now, in order that they might be able to command more hereafter? They were told, however, that there was a miraculous unanimity on the question throughout the country. He denied that there was any such unanimity. He was satisfied, on the contrary, that a great change had taken place on the subject. Could the noble Lord opposite (Althorp) say there was this marvellous unanimity in Northamptonshire? or was it to be found in the late elections in Buckinghamshire, or Shropshire, or Weymouth, or Great Grimsby? It was notorious, that a number of the advocates of the Bill supported it, not because it was desired by the people, but because they considered it the commencement of a series of revolutionary and democratic operations, which would terminate in the overthrow of all the established institutions of the country. They were told, that if they rejected the Bill, the consequence would be civil war. He confessed he did not envy the feelings of those who had, most unnecessarily, brought the country to such a crisis. He said most unnecessarily, for at the time the Government proposed their plan of Reform, all the various branches of public industry were prosperous, and the people both contented and happy. He was one of those prejudiced, narrow-minded people who thought that this plan of Reform, brought forth with so little reason and so little necessity, would, if carried into effect, produce the overthrow of all the institutions which were the object of their veneration and regard. For this reason, because he thought the Bill neither gave security to any class, nor freedom from future contention, he would oppose the clause then before the House, as one of the most dangerous and injurious which that Bill contained.

Captain *Polhill* alluded to the qualification, and declared his intention to move an amendment to reduce the amount of qualification. This was a most important clause, because it affected the right of every Englishman with respect to having a vote in returning Members to Parliament. There were forty-six boroughs in which the right of voting ought to be less than 10*l.* These he would place in a schedule by themselves, calling it schedule L, and would propose, that the qualification for a voter in them should be no more than 5*l.*, instead of 10*l.* He called upon all the Reformers to support his amendment. He should propose, if he lost his motion, that the qualification for the places in schedule C, be 20*l.* Was it not out of all proportion that the Tower Hamlets, Greenwich, Deptford, Lambeth, and other districts, should be placed on the same footing as the boroughs he had mentioned? The hon. Member thought the population, in certain districts, would not be able, as the qualification then stood, to exercise the right of voting, and therefore concluded by moving "That the blank in clause twenty-one be filled up with the words 'five pounds' instead of 'ten pounds.'"

Lord *Milton* opposed the Amendment proposed by the hon. member for Bedford. He supported the clause because, in his opinion, it was an adherence to that ancient right of franchise, the violation of which he had complained of in other parts of the measure. By the clause, the right of franchise was advantageously removed from the payment of parochial to the payment of national taxes. If the qualification was lower than 10*l.* this object would not be attained. The hon. Gentleman opposite wanted a uniformity of franchise. Now, if there was any thing which, in his (Lord Milton's) opinion, it was desirable to preserve, it was a variety of franchise. It was desirable, that in some places the franchise should be extended almost to Universal Suffrage. That variety the clause would secure under a nominal uniformity. While human nature was constituted as it now was, and as it ever had been, the poorer classes would be liable to be corrupted by the higher. The only guard against that corruption was, that where the poorer classes were numerous, they should vote in great numbers. He had no such apprehensions from an extensive exercise of the franchise as were entertained by the hon. Member. The hon. member for the University (Mr. W. Peel) doubted if the feeling in favour of Reform was unanimous in the country. In answer to that observation, he would refer the hon. Gentleman to the late election. The householders in general, regarded the measure with particular favour. He had no objection to places, with a smaller franchise, such as Preston, being counteracted by a higher qualification in other parts of the country. At the same time it was unwise to lower the qualification generally; and, therefore, he voted against the Amendment of the hon. member for Bedford; still less would he vote for any amendment, if such were made, which should raise the qualification above that sum. The 10*l.* franchise was contained in the former Bill, and the late election proved it had been well understood by the country.

Mr. *Charles Russell* could not support the Amendment generally, but thought the qualification should in all cases depend upon the parochial rates. To make the qualification dependent on the rent paid to the landlord by the tenant, would lead to great collusion between them, and would facilitate fraud and deception, which would be easy to accomplish, and very difficult to detect. The inhabited house duty would be no efficient check upon those who lived in their own houses, from the uncertain principles on which it was levied. If a just valuation could be introduced by it, then it would be an excellent general qualification, and no other than it, or the payment of parochial rates, would be efficient. The objection made to the latter was, that it varied in amount in various places, and that it was impossible to engraft any thing certain upon that which was in itself uncertain. But they might have a general law to determine the relative value of land and houses through the kingdom in general, and this would lead to the further advantage of introducing a just and equable imposition of taxes, while it had the further recommendation, that they could dispense with the 33rd, and subsequent clauses of the Bill before them, which he looked upon as likely to be a fertile source of fraud and litigation: eleven months in every year would be employed in manufacturing voters, and the twelfth, that of October, in establishing them. On every point of view, therefore, he thought there could be no better qualification than the payment of parochial rates, or being assessed to the inhabited house duty, under general laws, bearing equally on land and houses.

Mr. *Gillon:* I have hitherto purposely abstained from offering any remarks to the Committee, from a desire to avoid any thing that might tend to delay, in any degree, the passing of this most important measure; and because, in the previous details, much local information was required, with which hon. Members were so much more conversant than myself. On this, however, one of the most general and important provisions in the Bill, which marks out what shall be the future constituency of the cities of this kingdom, I beg to offer a few remarks; and I trust for that indulgence I so much require, from my inexperience in the forms and usages of the House. I observe among the notices of motions, a very great number which refer to this clause: some proposing that all resident freemen should permanently retain their rights—some that non-resident freemen should retain them during life—some that there should be a scale of Representation—and some that the right of voting should be extended to all paying taxes. Sir, on a *primâ facie* view of this provision, I own it did strike me, that taking the 10*l.* medium as a qualification to entitle to the possession of the elective franchise, it ought to have been higher in some of the large towns—as London, Manchester, &c., and that it should have been reduced even lower in some of the remote districts. In fact, I thought that, for the sake of establishing uniformity in the right of voting, a scale of representation would have been necessary. I have, however, had reason, on mature deliberation, to alter that opinion; and I trust that all those hon. Members who have raised an objection to the Bill on the score of its depriving the lower class of voters of their right, will yet see reason to support this clause. In fact, the apparent or nominal uniformity of the right of voting establishes that variety in franchise, that representation of different classes and interests, which I have heard so warmly contended for on the other side of the House. I have no doubt I shall be told by the hon. member for Preston, that his constituents—the potwallopping voters—are to be disfranchised, at least prospectively so, and I own the Bill does press a little hardly upon them. But what is thus lost on one ground is gained on another; that is to say, that in some of the larger towns the franchise will descend very low in the scale—will reach all possessed of any thing like property and respectability, and will at length approach to what is called Universal Suffrage. I rejoice sincerely at this, as I look on it as affording that vent for popular feeling so much desiderated, and properly, by Gentlemen on the other side, without which the Bill would be defective. We find at present that in the places where there is the largest constituency—where it most nearly approaches to universal suffrage, that the least corruption prevails. I may mention Westminster, the Borough, and Preston; therefore, on every account, it is desirable that an infusion of this sort should be found in the Bill, both in order to express the sentiments of a very large portion of the community, and for the very valuable Members who must thus be returned to this House. This varying of the nominally uniform scale will, in other places, operate in a rather exclusive manner; and in those boroughs which are partly made up of agricultural districts the constituency will consist of what I may term the aristocratic part of the community, that is, it will consist of men very far removed indeed from what will be termed the lower orders, of men closely connected with the landed interest, of men strongly interested in securing a permanency and stability for property and the existing order of things. In fact, they will consist of men as far from democratic in their views or pursuits, as is consistent with any thing like a full and free Representation of the people. The 10*l.* franchise generally will comprise the respectable and intelligent middle classes of society. It will give to them, now justly disgusted with the anomalies of our Representation, with the impost of taxes, with the payment of which alone they have now to do—it will give to all these an interest in the Constitution, and a desire to rally round the Throne, and will induce them to look with an eye of veneration upon institutions which they have perhaps been inclined to despise, from observing the many and glaring imperfections of our Representative system. Sir, I cannot agree with those hon. Members who have declared their anticipation, that the great body of our countrymen are to become universally corrupt. I little envy the feelings or the hearts of those hon. Gentlemen; and I know not with whom they have had their transactions, to form so bad an estimate of human nature. But night after night have I listened with indignation in this House to annunciations of this sort, and have heard the great body of my countrymen thus scandalously libelled. Sir, I think more highly of my countrymen than this; and from the many magnanimous sacrifices I have seen numerous classes of them ready to make, to promote the success of this great measure, from the enthusiasm and loyalty I have witnessed every where, I cannot believe, that sordid motives will be the ones that are hereafter to regulate their conduct. But to pause one moment to show the inconsistency of the arguments used on the other side of the House. They have been loudly complaining that money and personal property will not be duly Represented. They now turn round, and say, that our new constituency are to be swayed solely by selfish and sordid motives. Surely, if it were so, which I say it is not, here would be a mode for money, at least, to be represented in this House. Perhaps they will tell us, they would not condescend to such means to procure their return; but I cannot believe, that he who will give a sum to secure the right of sending here two nominees in defiance of the laws and the Constitution, will hesitate to offer to the frail the wages of corruption. Sir, this clause shall, for these reasons, have my warmest support; and I fondly look to this Bill and to its provisions—I look to the time when we may fairly call ourselves the Representatives of the people of this country, for that union among ourselves, and respect from without, so essential to our deliberations, but so long denied to this anomalous, and I fear it may be added, corrupt assembly.

Lord *Loughborough* thought, that the clause would operate in a manner contrary to every principle of law and equity. The persons in the borough which he had the honour to represent (Great Grimsby), who lived in houses of 5*l.* a year, were equal in property and respectability to the persons who at Hull (not above an hour's sail) lived in houses of 15*l.* a year. They were generally masters of vessels, and other seafaring persons, who would be wholly excluded from voting by the operation of this clause. The Bill would, therefore, work a manifest injustice. Would it not be advisable to introduce a proviso, that the qualification in all the boroughs in schedule B should be 5*l.* instead of 10*l.*? In his opinion, that would give a more fair and equal participation of the franchise.

Mr. *Trevor* said, that if the qualification were raised from 10*l.* to 20*l.*, he should not object to the clause, and should feel less hostile to the Bill. He did not think, that anything which was now supposed to be defective in the Constitution, would be cured by giving votes to the holders of 10*l.* houses, who, he maintained, would be completely open to bribery. Would any man assert, that persons occupying houses of that supposed value in the portions of Deptford, Greenwich, Finsbury, and the Tower Hamlets, would be insensible to the value of money? Instead of their being an intelligent and respectable body of the middle classes, they were some of the lowest and most corrupt portions of the community. He begged leave to say, that he was determined to express his opinion, notwithstanding the noise he heard around him. He believed, that a considerable change had taken place in the feelings of the people with respect to this measure. He knew, that many of those who had called for "the Bill, the whole Bill, and nothing but the Bill," had altered their opinion. And he could produce letters from some of his own constituents, in which they declared, that the measure was anything but satisfactory to them. This Bill was brought forward at a period of agitation; which he believed had been increased by undue means. But the more calm the public mind became, the more unfavourably would the plan be received.

Mr. *Stuart Wortley* objected to the precipitate decision of a question which affected so nearly the whole borough constituency of the kingdom. He thought it was a question not fit to be discussed in the present state of the House; and certainly it ought not to be debated at such an hour. The hon. member for Bedford objected to 10*l.* as the general qualification, and had moved an Amendment, which, to many Gentlemen, was just as obnoxious as the original proposition. Now he wished to know, whether, if the clause for allowing persons renting houses of 10*l.* a-year value were carried, that proceeding would prevent any further offer of amendment.

Lord *Althorp* said, that the only mode he had of obtaining the decision of the House, whether the blank should be filled up with 10*l.* was, by moving to that effect, and such was the motion before the Committee. But an Amendment had been moved, to substitute 5*l.* for 10*l.*, and he apprehended that it would still be in the power of the hon. Gentleman, or of any other hon. Member, to move any other sum instead.

Mr. *Bernal* (the Chairman of the Committee) said, that the hon. Gentleman (Mr. Stuart Wortley) seemed to labour under a mistake. It was not necessary now, as it would be in a Committee of Supply, when a smaller sum was proposed as an amendment, to put the question upon that smaller sum first, and there would, therefore, be an opportunity of proposing any other sum in a subsequent motion.

Mr. *C. W. Wynn* said, he should certainly be averse to the qualification being the same in all the small boroughs and large towns, where houses varied so much in value.

Captain *Polhill* withdrew his Amendment.

The question that the blank be filled up with the words "ten pounds," put and carried.

Captain *Polhill* said, that it was most erroneous policy to make the qualification in all towns alike, when the value of houses were so different in different places. It was much like sending a man to Jamaica with the same clothes which he wore in Siberia. The clause would have the effect of making close boroughs of many places that were now open by some large proprietor obtaining the majority of 10*l.* houses. The large boroughs to be created ought to be satisfied with any franchise which was extended to them; the mere fact of receiving Representatives was a great boon. He should now move, that after the words "ten pounds" be inserted these words; "with the exception of the several places enumerated in schedule C." If he carried that motion, he proposed to follow it up by another, that in those boroughs the qualification should be raised to 20*l.*

Lord *Althorp* could not assent to the Amendment, which went to increase the qualification in certain boroughs, and was to be followed by further propositions having the same object in view. He was fully persuaded, that the holders of 10*l.* houses in these towns were perfectly qualified to choose their own Representatives, and, therefore, held, that to raise that qualification would be to strike at the very principle of the Bill. He had always desired to extend the constituency to the utmost limits of intelligence and property, and thought the present Bill had introduced the just medium for obtaining a full and fair Representation. On that ground he should oppose the Amendment.

Colonel *Davies* said, that there were other large towns besides those in schedule C, where it would be desirable to raise the qualification to 20*l.* He particularly alluded to Southwark and Bristol, which contained such a large population, that it would be advisable to raise the rate in them that would entitle a person to vote. Whether he should or should not bring forward any such ulterior proposal he had not yet made up his mind.

Mr. *Hunt* said, that he would object most strenuously to any rise in the franchise. It would create infinite dissatisfaction amongst the people. It had been said, that the people were indifferent to the measure; he did not think so. The 10*l.* clause had given a new fillip to the Bill. Of course it was quite impossible to think that any measure should give universal satisfaction. For his part, he would not move any further amendments, but on some future discussion would at once propose Universal Suffrage. He had resolved to adopt that course, from the disregard paid to his suggestions by the Committee, and from believing, by the number of petitions, that the people were desirous of universal suffrage.

Mr. *C. W. Wynn* thought this the most important and the most objectionable part of the Bill. He was prepared to disfranchise the non-resident freemen, but would not take away the right of future freemen altogether, by limiting the franchise to a certain value, which would, in many cases, have that effect.

The question put, "that the several places in schedule C should be exempt from the clause," which was negatived without a division.

The question was then put, that the words "or any warehouse" do stand part of the clause.

Mr. *Hodgson* wished to state to the Committee the object of his Amendment. The Committee were aware, that no person could vote for a shop and house unless they were separately of the value of 10*l.* each, or held under the same landlord. He intended to propose, that tenants from year to year, who paid a rent of above 10*l.*, and under 20*l.* a-year, for two tenements, should have a right of voting for the borough in which the premises were situated.

Mr. *Wrangham* moved, that the Chairman should report progress, and not proceed further that night.

Lord *John Russell* objected to the proposition.

Colonel *Sibthorp* contended, that there ought to be a fixed hour, and that beyond that hour the Committee ought not to sit. There was an agreement that the House was not to sit after one o'clock, but it generally sat till three.

Lord *Althorp* said, he had never pressed the Committee to entertain any important question after one o'clock.

Mr. *Trevor* wished to know, whether the hon. member for Newcastle would persevere in his Amendment or not?

Mr. *Hodgson*, under the circumstances, would not press his Amendment.

Amendment negatived without a division.

Question again put, that the words "or any house or warehouse" stand part of the clause.

Mr. *Praed* said, the word "house" was not sufficiently explanatory.

The *Attorney General* said, the word was so large in its legal acceptation that all tenements were included within it.

Sir *Charles Wetherell* doubted if the words would include the stalls or buildings in markets and other places.

Mr. *Hunt* doubted whether tan-yards,

breweries, &c., could be considered as included.

Sir *Charles Wetherell* was not parsimonious of sitting up in the morning, but he put it to the noble Lord to say, whether he would press any part of so important a clause as that under consideration at such an hour (one o'clock).

The *Attorney General* thought the general words used in the clause sufficient.

Motion agreed to.

The House resumed; the Committee to sit again the next day.

Duchess of Kent's Annuity.] Lord Althorp moved the third reading of the Duchess of Kent's Annuity Bill.

The Order of the Day having been read, Lord *Althorp* proposed an Amendment, providing, that in case of the death of the Princess Victoria, only 4,000*l.* of the 10,000*l.* should be applied to the purposes of the Duchess of Kent, and that the remaining 6,000*l.* should revert to the public.

The Amendment was inserted by way of rider, and the Bill read a third time, and passed.

Turnpike Roads (Scotland).] Sir George Clerk moved, that the report on this Bill be brought up.

Mr. *Dixon* objected to the Motion. By one of the clauses of this Bill, the trustees had the power of stopping up any by-road which may appear to them inconvenient or useless. That was a power which the House ought not to delegate to any trustees whatever. By another clause, if an old woman hung a rag on a hedge, she would be liable to a penalty of 40*s.*, or to an imprisonment of six months, to be inflicted by a single Justice, who might be a trustee of the road; so that a man might be accuser, witness, and Judge. He hoped hon. Members would support his Amendment, that the Bill be re-committed to a Committee of the whole House on Monday next.

Sir *George Clerk* said, that the Amendment could not then be adopted; it must be moved when the report was examined. The hon. Member could not have paid much attention to the present state of the law, or he would have known, that this Bill hardly made any alteration in its principle, the changes being chiefly in the arrangement and mending of the former law. An hon. friend of his, who had charge of the Bill last Session, not being returned to this Parliament, he had taken it up, and he felt satisfied, that every person connected with Scotland would acknowledge the beneficial effects likely to result from it. The power of imprisonment for a period not exceeding six months was given, but it was for a long list of offences, some of them rendering the parties liable to a penalty of 100*l.* The offence mentioned by the hon. Gentleman would not, probably, be visited with a heavier penalty than 5*s.* The Bill had been thoroughly sifted in a Committee up-stairs, and the hon. mover of it, last Session, showed the greatest disposition to adopt all reasonable amendments. The hon. Gentleman attended the Committee several days, and did not offer any of the objections he had now made, although that was certainly the most convenient time for doing so. Under these circumstances he should feel it his duty to resist the motion of the hon. Member.

Mr. *Hume* had not had an opportunity of looking very attentively into the clauses of this Bill; but some of its provisions seemed very objectionable. Was it fitting that such a power should be given, perhaps to interested persons, as that of shutting up bye roads? It might be proper on certain occasions, but such a power should be subject to many restrictions, and he submitted to the hon. Baronet the expediency of submitting the Bill to a Committee, if it were only to give an opportunity of reconsidering this clause. He found a clause, too, imposing a penalty of 40*s.* on any one who should hang out clothes to dry on a public highway; nothing was more common in Scotland. There was also a penalty of 40*s.* imposed on every one who should leave a stone in the middle of a road after using it, perhaps, for stopping a wheel. The clause containing these penalties required some consideration in a Committee; and he hoped, that his hon. friend would move that the Bill be recommitted.

Mr. *Paget* hoped that the hon. Baronet would allow the Bill to go into Committee.

Mr. *Dixon* said, that it was a singular fact, that under this Bill was to be found the only case in which there was no appeal to the Sheriffs. The only appeal was to the Quarter Sessions, the Magistrates at which might be trustees of the road.

The Report brought up; further consideration postponed.

HOUSE OF LORDS,

Thursday, August 25, 1831.

Minutes.] Bills Read a third time, Poor Relief; Lunatics; Regulation. Read a second time; the Burning of Lands (Ireland). Committed; Ecclesiastical Lands Exchange.

Petitions presented. By the Duke of Wellington, from the Magistrates and Landed Proprietors of the county of Wigtown, against the use of Molasses in Distilleries and Breweries. By Lord Holland, from the Licensed Victuallers' Committee against the Beer Bill. By the Duke of Sussex, from the Mechanics, Artizans, Consumers, and Retailers of Beer, in its favour; and by the Archbishop of Canterbury, from the Inhabitants of Edmonton, against it.

The French Troops in Belgium.] The Marquis of *Londonderry* rose to put a question to the noble Earl opposite, relative to the withdrawing of the French Troops from Belgium. In consequence of rumours that were abroad, and statements in the Journals of the day, that Ministers had received some intelligence relative to the withdrawing of the French troops from Belgium, he wished to ask the noble Earl whether any orders had been given by the French government for the recal of the troops; and whether the noble Earl was in a situation to confirm the assurances that he had given, that Belgium would be evacuated by the French troops, as soon as the Dutch troops should have retired within their own frontiers? He understood from rumours that were in circulation, and from statements in the Journals, that the noble Earl had got some intelligence on this subject, and he asked him, whether any information had reached him as to any order given by the French government for the evacuation of the Belgic territory by the French troops? If the noble Earl should refuse to answer his question satisfactorily, then he would give notice of a motion to be made on Monday, for the production of some further papers connected with the late proceedings in regard to the affairs of Belgium.

Earl *Grey* said, although it was very unusual in parliamentary proceedings to answer such questions when put in the manner which the noble Marquis had for some time past adopted, yet he was prepared to state, that he had grounds for believing that General Gerard had received orders from the French government to retire with the French troops from Belgium, in conformity with the terms agreed upon between the French government and the other Powers; and from the honourable manner in which that government had hitherto acted, he had no doubt but that all its engagements would be honourably and fairly performed.

The Marquis of *Londonderry* congratulated the noble Earl on the circumstance that he was enabled to make this statement, which must be so very satisfactory to their Lordships and the country. He, himself, was most happy to hear the statement, and hoped that it would be confirmed to the fullest extent.

Lord *Holland:* And I am most happy to hear that the noble Marquis is so very happy on the present occasion.

HOUSE OF COMMONS.

Thursday, August 25, 1831.

Minutes.] Returns ordered. On the Motion of Mr. Herries, for an account of the Sums expended by this Country on the Fortifications in Belgium, in pursuance of Articles of Convention between the Netherlands and Great Britain, dated 13th August, 1814:—On the Motion of Mr. Spring Rice, a return of the Population in the Counties named in Schedule G, Reform Bill according to the Census of 1700 and 1821.

Petitions presented. By Mr. Wilbraham, from the Inhabitants of Wallasey, to repeal that part of the Beer Act which allowed Beer to be drank upon the premises of the Seller; and from the Clergy of Runcorn, for the Repeal of the Act. By Mr. Shaw Lefevre, from the Inhabitants of the counties of Berks and Wilts, against the Inclosure Act Tithes Bill; and from the Owners and Occupiers of Land in Biggleswade, against the use of Molasses in Breweries and Distilleries.

Divorce Bills.] The House went into Committee upon Lefevre's Divorce Bill, and heard evidence. After the Report had been brought up, and the House had resumed,

Mr. *Hume* said, that if he saw a Cabinet Minister present, he would ask him if such farces as that they had just witnessed were to be continued? The public were at a great expense for the support of Law Officers, and a large establishment for administering the laws, and could not one be found to bring forward a Bill to remove this nuisance? As to justice, it was impossible that in this mode justice could be administered. He protested against it, and complained that Ministers did not do their duty.

Mr. *Spring Rice* agreed in the opinion expressed by his hon. friend. The question of dissolving a marriage was peculiarly a judicial one, and the proceedings in that House were either a farce or something worse. He hoped the time might come when the wishes of the hon. member for Middlesex would be complied with.

Mr. *John Campbell* concurred with the hon. Members who had spoken on the subject, and said, that the present system was decidedly a disgrace to the country, and ought to be altogether changed. He did not conceive, however, that any blame could attach to the Judges for not proposing the change.

Mr. *O'Connell* thought, that some of the Judges who were Members of the Legislature ought to originate a measure for the reform of the present system, which was on all hands admitted to be disgraceful.

TITHES.] Mr. *Sadler* presented a Petition from a large body of Individuals residing at Kendal, on the subject of the enforcement of old claims for Tithes, now made upon them by Trinity College, Cambridge, and supported by the process of the Court of Exchequer. The petitioners alleged, that the claims now set up by the College were in direct defiance of an established modus that had existed time immemorially at Kendal; and they alleged that they should hardly, if at all, be able to meet the claim of the College, by direct legal evidence; as those persons who held the lands in respect of which this claim was made, and who were known by the name of "statesmen," had destroyed many of their old deeds, in consequence of their never anticipating that such a claim would be set up against an established modus. The difficulty to which they were thus put, they alleged to arise from the non-existence of any limitation to the assertion of rights by the Church. The rights of the Crown, which had formerly been subject to no limitation, were now restrained from being enforced, except within a certain period of time; and the petitioners prayed, that what had thus been done with respect to the rights of the Crown, might be done with regard to the rights of the Church. They referred to the Act that had been introduced by Lord Tenterden last year into the other House, and which they prayed might be adopted. By that Act, the right of claim was to be limited to sixty years. Had that Bill been now in force on land, the grievance of which the petitioners complained would not have existed; for the petitioners distinctly asserted, that no claim of the kind now set up, had been made on the tenants, before the period at which Trinity College came into possession, which event took place at a time much more distant than sixty years.

Mr. Alderman *Thompson* confirmed the statements of the petition, to which he gave his cordial support.

Petition read. On the Motion, that it be laid on the Table,

Mr. *Sadler* said, the proceedings affected a part only of the district, although the modus the petitioners spoke of was paid by the whole of the tenants of those lands on none of whom this claim was ever before made.

Sir *John Newport* said, that that which had been already done with respect to the claims of the Crown, ought to be done with regard to the claims of the Church. A limit ought to be fixed, beyond which the Church should not be allowed to set up a claim that had not been enforced within that period. He had the particulars of some cases for claims of what was called the minister's money in Ireland. The claims of the payment of that money were often suffered to lie by for fifteen or sixteen years, and the whole accumulated claim was brought upon the tenant, who was utterly unprepared for such a demand, and utterly unable to pay it. Many of these persons against whom this unjust demand was made, could pay the annual sum if then demanded, but they could not pay 12*l.* or 15*l.*, and it was a most iniquitous proceeding, that the property of these poor people should be sold to make good so unreasonable a charge. The reason of suffering it to remain unclaimed so long was, that the rate of per centage paid for collection was less on a large than on a small sum, and the poor tenant was thus exposed to unexpected demands, sometimes of a ruinous nature, because the owner of the tithes could gather them in at less cost. That system ought to be remedied.

Mr. *Crampton* said, that the same ground of complaint to which this petition referred did not exist in Ireland; in the year 1816, an Act was passed, by which the right of the Church to demand these tithes was limited to six years. He was therefore much surprised at the statement of his hon. friend that fifteen years arrears of minister's money had been demanded.

Mr. *Hume* took that opportunity of calling the attention of the Government to a statement that had been made to him, that very distressing and disgraceful scenes were now going on in Edinburgh respecting the payment of demands by the clergy. He understood that in many cases the goods of the parties had been seized and put up to sale; but so strong was the feeling on the subject, that nobody would buy them. If the Lord Advocate had been in his place, perhaps some answer might have been given.

Mr. *O'Connell*, with reference to the Minister's money in Ireland, said, that he had often given professional opinions in Dublin, the effect of which was, to declare that no levy could take place for minister's money, for any demand extending beyond the period of a-year. The misfortune, however, was, that there was a Court of Conscience in Dublin, which was a perfect nuisance. In that Court these claims could always be enforced upon the poor, who could not afford to resist them by carrying the matter before another tribunal. That Court was presided over by an Alderman of Dublin, who gained 1,500*l.* a-year from it. The decree was generally made there on the oath of the plaintiff; insomuch that he (Mr. O'Connell) knew of two parties who had six times been plaintiff and defendant against each other in respect of the same demand. In each instance the demand was answered in favour of the plaintiff. He trusted, that in the bill for the improvement of the administration of justice in Ireland, a clause would be introduced, preventing the clergy from enforcing these demands for more than one year; a declaratory clause would be quite sufficient.

Mr. *John Campbell* said, that the subject of which this petition complained, had been much under his consideration. It had been his anxious desire to introduce a bill to put some limit of time to the demands of the Church, similar to those of the Crown, but the subject having been taken up by Lord Tenterden, he thought it was in better hands, and he had therefore resigned it to his Lordship. He understood, that the bill which the noble and learned Lord introduced, had alarmed the bench of Bishops, who had given some opposition to it. However, notwithstanding that opposition, he trusted that the bill would pass the other House. Perhaps he ought to add, for the satisfaction of those who feared anything that went to affect the claims of the Church, that there was a clause in the bill, giving all parties a period of three years, before the Act took effect, to bring forward their claims.

Mr. *Sadler* said, the petitioners were of opinion that Lord Tenterden's proposed act would be a great benefit to the community, if it ultimately became a law.

Petition to be printed.

COAL-METERS (DUBLIN).] Mr. *Sadler* presented a Petition from the Ship-owners of Whitehaven, Workington, and Maryport, trading to Dublin, praying that the system of employing Coal-meters in that city might not be abolished.

Mr. *O'Connell* said, the petitioners might, if they pleased patronize a body of Coal-meters; and pay them themselves, but it was most unfair to impose a tax on the poor people of Dublin to support them. Many abuses existed in the system, and had been enforced by the instrumentality of the Court of Conscience which he had recently adverted to. The corporation of Dublin regulated the fees but now the coal duties were abolished the Coal-meters were left to any legal remedy they possessed. Some measures should be taken to prevent the Alderman of Dublin deciding upon the fees imposed by the Corporation. The House ought not to interfere in the manner required by the petitioners.

Mr. *Spring Rice* said, he had received a memorial from the Chamber of Commerce in Dublin, which bore out to the letter all that the hon. and learned Gentleman had stated. From that document it appeared, that 8,000*l.* a-year was expended upon that establishment, which, if the coal-trade were properly carried on, would be wholly unnecessary. The claims of the Meters were enforced in a Court over which those Magistrates who had appointed them presided. The matter had been brought before the Court of King's Bench, and that Court was prohibited from proceeding. But the prohibition was of no avail, for the parties insisted that it only applied to the particular case that was argued, and not generally.

Mr. *Lefroy* said, that as the Coal-meters were claiming compensation, it was not fair to say anything that could have the effect of prejudging their case. It had been asserted, that they had no right, no authority, for taking that which they had been in the habit of demanding. But undoubtedly they had charters, some of them 200 years old; and on these they had acted so long as coals had been brought into Dublin. But perhaps their possession of "charters" would now be considered a circumstance of no moment. Up to the present time, however, charters had been considered of some value. The prohibition in the Court of King's Bench referred to by the right hon. Gentleman who spoke last, in no respect determined the validity of the claim to Coal-meters dues generally. The demand had been split into portions, to bring it under the jurisdiction of the Court of Conscience, and the Court held that it was illegal. He believed the whole might be explained by the events of the late election. The Government desired to influence the Meters, and had held out hopes of compensation to them.

Mr. *Crampton* said, that he was much surprised at the remark of his hon. and learned friend, that the Coal-meters of Dublin had a charter, but he supposed he had made it in order to renew an attack which had before been made upon the Irish Government, and which he should take the present opportunity of replying to. On Saturday last a noble Lord (Stormont) had stated, that he had received a letter from Dublin, in which it was alleged, that the Irish Government was using its influence in favour of the Reform candidates at the present election; that the Under Secretary for Ireland was seen openly canvassing for votes; and that Sir William Gossett had gone the extreme length of writing to one of the Magistrates to come to town immediately to propose one of the Reform candidates. He (Mr. Crampton) now took it upon himself—from his intimate knowledge of the principles by which the Government was actuated, and from his personal knowledge of Sir William Gossett—to contradict that statement in the most decided and unqualified manner. Not only could he contradict it from the highest and most unimpeachable authority, but he was, happy to say, that he had it in his power to demonstrate to the House the utter falsehood of the charge. He had written to Sir William Gossett, on hearing the statement made within those walls, and what was the answer? With respect to canvassing, he had, in no single instance, canvassed; and he challenged any individual, be he whom he might, to come forward and name whom it was that he had canvassed. He was a freeman of Dublin, and, as a freeman, he voted for the Reform candidates, but as a government officer, he felt that his conduct was liable to misconstruction, and therefore he had studiously avoided anything that could look like interference. It was asserted, that Sir William Gossett had written a letter to Mr. Alderman Darley, directing him to come to town, in order that he might propose one of the Reform candidates. What was the answer to that? Why, on the 15th of August, (the election being appointed for the 18th) it was thought necesssary by the Irish Government to have the police in attendance, for the purpose of preserving the peace, there being at the time much excitement in Dublin, and still greater excitement being expected. A letter was in consequence written to secure the proper attendance of the police. He had in his possession the letter addressed by the Government to Alderman Darley, the head of the police of Dublin, which had nothing to do with the election, but was intended solely to preserve the peace of the city prior to, pending, and after the election. A similar letter was written to other Aldermen, not calling on them to support any party, but leaving to them the constitutional right of giving their vote for whomsoever they pleased. [The hon. and learned Gentleman read the letter]. He suspected, that he knew the person from whom the hon. and learned Gentleman (Mr. Lefroy), who had reiterated the charge, had received his information. He believed that he knew the individual. It was not the first time that he had come forward with information, and it was not the first time that information was found to be false. On receiving that letter, Alderman Darley came to town, in order to have the police force in readiness; and, on his arrival on the 16th, he had a visit, which, as it appeared to him, was rather an inquisitorial one. That visit, he believed, had afforded the hon. and learned Gentleman the information which he had so liberally dealt out on Saturday last. Alderman Darley was on that occasion visited by Alderman Perrin, by Mr. Long, whose name was well known as connected with the last election, who spoke of being dismissed from the employment of Lord Anglesey, but who was not so dismissed, and there came, he was sorry to say, in his company, Lord Ingestrie. Of that noble Lord he would say nothing, but what was respectful; but he was sorry, he repeated, to find his Lordship in such company. One of the company said, "Have you not, Alderman Darley, received a letter, ordering you to town in consequence of the election?" Alderman Darley says, "I answered, 'I have received a letter, desiring my attendance in town, as a Magistrate of Dublin, during the election;' and I handed the letter to Lord Ingestrie, who perused it before the other parties." He (Mr. Crampton) did not know how to describe that visit. Lord Ingestrie might have been duped; but how that noble Lord could construe the letter to Alderman Darley into a letter directing him to hasten to town, to propose one of the Reform candidates, was utterly beyond his comprehension. This, evidently, when the matter was properly considered, would appear to be a visit for the collection of information on which might be laid the foundation of a future election petition, if such a proceeding were deemed necessary. But, be that as it might, of this he was sure, that the House could not have the least doubt that the charge against Sir William Gossett was a mere invention—a weak invenvention—a wicked invention, which deserved the reprobation of every one who had the spirit, the honour, and the feeling of a gentleman. After the letter to Alderman Darley, a general letter was addressed to all the police Magistrates, calling on them to abstain from appearing in the election in any way, and leaving them to give their votes precisely as they pleased. After this statement, he hoped the hon. and learned Gentleman would rise and say, that he felt he had been imposed upon, and that what he had stated was not warranted by the facts, but was directly opposed to them. The charge against the Irish government, for taking part in this election, was monstrous—was false. The illustrious nobleman who now governed Ireland would not descend from his high situation to lend himself to such a proceeding. He had made great sacrifices to the cause of Reform, and he was willing to make still greater, if it were necessary. He had declared, that on the success of the measure which was now before Parliament depended, in his opinion, the salvation of the country. This he had stated in public and in private. But that illustrious nobleman, strong as his feelings on this subject were, could never, as he had before observed, think for a moment of descending from his high elevation, to compel individuals to act contrary to their own impressions and inclinations.

Mr. *Robert Gordon* complained that the merits of the Dublin election were again gone into. The allusions made to that case were equivalent to a re-hearing of the case. He thought, that the Solicitor General for Ireland would have better consulted the interests of the country by abstaining from any further allusion to that subject; such allusions could have no other tendency than to impede the progress of the Reform Bill. He thought it unfair towards him, who brought the subject on a former occasion under the consideration of the House. He had been a Member of that House since the year 1820, and for the last ten years, no single instance had occurred in which the evidence taken before an Election Committee had been so strong, where the Chairman of such Committee did not consider it his duty to bring the circumstances of the case under the consideration of that House. It was in that capacity (as Chairman of the Dublin City election) that he had brought the matter forward, and having done so, considered the matter set at rest.

Mr. *Crampton* said, that no one could be more anxious than he was to accelerate the progress of the Reform Bill. His object, in adverting to the subject was, to defend Sir William Gossett from the unfounded charges which had been brought against him.

The petition was ordered to lie on the Table.

Mr. *Sadler*, in moving, that it be printed, took occasion to observe, that he thought it but fair that the Coal-meters should receive compensation for any loss they might sustain by any new legislative enactment which might be made with regard to the metage of coals. The arrangements that were to be made would, no doubt, be for the benefit of the public, and it would, in his opinion, be unfair, that where the many were to gain, the few should lose. The compensation which, in this case, would be necessary, would not be sensibly felt by the many who would derive advantage from the alterations which were proposed.

Mr. *Lefroy* was glad that Sir William Gossett had so distinctly denied the charge of having interfered in the Dublin election. He had not, however, charged him with having canvassed any particular elector: he merely said, that Sir William Gossett had accompanied Mr. Latouche in his canvass.

Mr. *Anthony Lefroy* rose to defend the character of Mr. Long, a highly respectable coachmaker, in Dublin. He thought him incapable of doing any thing improper.

Sir *Henry Hardinge* could not but express his surprise, that the Solicitor General for Ireland, in vindicating Sir William Gossett, should throw an imputation on Mr. Long, a respectable tradesman: it was rather an extraordinary mode of defending one person, by impugning the conduct of another.

Mr. *Hunt* said, that Mr. Long had been examined before the Committee, and had left it without a shade upon his character.

Petition to be printed.

PROMOTION IN THE ARMY.] Mr. *Hume* understood there was some intention to increase the Officers of the Army and Navy, by a promotion which would put the public to an increased expense. As there were already 14,000 or 15,000 officers, a great proportion of whom were on half-pay; and as they had already sufficient Generals to allow five at least to every regiment, and sufficient Admirals to give the same proportion to ships, and as he had reason to believe, that many of these officers had been promoted without performing any services, he should move for the following returns, to establish the fact; viz. "Of the number of Officers, of each rank, in the Army, who had been allowed to sell their commissions, since January, 1825. Of the total number of Officers, of each rank, in the Army on the accession of his Majesty, distinguishing the number of each rank on full and half-pay. Of the number of Officers, of each rank, who received brevet rank on the accession of his Majesty, stating also the number of Officers, of each rank, who have received brevet rank since that time. Copy of the several warrants or regulations since January, 1825, giving promotion to Officers in the Army; and the number of promotions, of each rank, which have taken place in each year, in consequence of these warrants."

Sir *Henry Hardinge* said, the hon. Member might have requested these papers, without reflecting upon officers of the Army, when he asserted, very unfairly, that thousands of officers had been promoted without merit, or having seen any service. He believed, that the promotions had not been larger than necessary to obtain efficient officers, and promote the discipline of the Army.

Mr. *Hume* said, he made no complaints of the Army, but of the Government, and the Commander-in-chief; and he was prepared to show, when the returns were on the Table, that many persons had been promoted who did not deserve it.

Sir *Henry Hardinge* hoped the hon. Gentleman would not make such assertions, in the absence of all proof, but wait until the Returns gave him sufficient authority: he then trusted to be able to meet him upon every case.

Returns ordered.

THE FRENCH ARMY IN BELGIUM.] Sir *Richard Vyvyan*, not seeing the noble Lord (the Secretary for Foreign Affairs) in his place, would ask the noble Lord (the Chancellor of the Exchequer), whether his Majesty's Government had received any confirmation of the assurances previously made to it from the government of France, as to the withdrawal of the French troops from Belgium; or whether his Majesty's Government understood, that any orders had been sent to the individual commanding the French troops, directing him to withdraw?

Lord *Althorp* was glad to be able to state, in answer to the hon. Baronet's question, that his Majesty's Government had received accounts from Brussels, that orders had been given to the French troops now in Belgium to withdraw from that country. He begged leave also to add, that after his Majesty's Government received the assurances from the French government, so often alluded to, they had never any reason for a moment to doubt the good faith and sincerity of the French government.

Sir *Robert Peel* said, the answer of the noble Lord was quite satisfactory. He hoped, however, it would not be supposed, that any one at his side of the House had encouraged any suspicion as to the sincerity or good faith of the French government on this subject. He presumed, by what had fallen from the noble Lord, however, that the evacuation was to be complete, and that no part of the French troops were to remain in Belgium.

Lord *Althorp* could only say, that such was the effect of the information that had been received on the subject.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-FIRST DAY.] On the motion of Lord Althorp the House resolved itself into a

Committee on the Reform of Parliament (England) Bill.

The *Chairman* said, that the question was, that the blanks in the following part of clause twenty-one, "That any house assessed to the duty on inhabited houses, to the yearly value of not less than
or any house, warehouse, or counting-house, being either separately, or jointly with any land owned and occupied therewith, or occupied therewith under the same landlord, of the clear yearly value of not less than or rated to the relief of the poor, upon a yearly value of not less than " be filled up by the insertion of the words "ten pounds."

Mr. *Mackinnon* rose, to bring forward the Amendment of which he had given notice, to the effect "That, in all cities or boroughs, which contain from 300 to 500 houses of 10*l.* rent, the qualification to vote may remain as stated in this section; but that, in those cities or boroughs, which have from 600 to 1,000 houses of 10*l.* rent, the qualification to vote shall be 15*l.* yearly rent; and that, in those cities or boroughs which have 1,000 houses, or upwards, the qualification to vote shall be 20*l.* rent." The hon. Member stated, that the ground on which he submitted this motion was, that in boroughs of a small and confined description, the 10*l.* renters of houses were of much greater respectability than persons who occupied the same description of houses in populous towns. It would be only introducing a degree of equality, therefore, and in no respect in contravention to the principles of the Bill, if the qualification in populous places was increased. By adopting the scale of rent, as he proposed, the principle of equality would be maintained, but not otherwise. The middle classes were, in all towns, the persons who ought to have the greatest power and influence at elections. By adopting the sum of 10*l.* as a qualification for all towns, however, in very populous places the lower classes would obtain a preponderating influence. In every large town or city, he believed the great majority of 10*l.* householders were of the lower class—that class which, without meaning any thing invidious, he might say, was more liable to excitement and undue influence than the middle class. To bear out his statement, he would beg leave to refer to the parliamentary returns as to the number and value of houses in the parish of Marylebone. There were in that parish 12,418 houses, of which 6,814 were under 49*l.* a year rent, and 5,604 above that sum, therefore the right of sending Members would be in the hands of the lowest description of householders. The gross rental of the parish was upwards of 730,000*l.* per annum, of which the houses under 49*l.* a year rent, paid only about 166,000*l.*, and those above 50*l.*, 565,000*l.* Those returns fully proved the fact he had been endeavouring to impress on the House, that in populous places, the lower classes would have a great majority of votes; while the amount of rent they paid was only as one to three and a half. Under those circumstances, he put it to the noble Lord's (the Chancellor of the Exchequer) candour and fairness, whether he ought not to reconsider the clause, and accede to the amendment, or introduce some alteration himself to the same effect.

The *Chairman* suggested, that the amendment now proposed would come more properly after the registration clause.

Mr. *Mackinnon* would withdraw the clause.

Clause withdrawn, and blanks filled up as proposed.

The next question was, the omission of the following words in the clause, as it stood in the original Bill. It was proposed to omit at line seven of the clause, in the old Bill, after the words "ten pounds," the following words—"and in respect of which house, warehouse, counting-house, or land so respectively assessed or rated as aforesaid, or of the yearly value or rent as aforesaid, all the rents, rates, and taxes then due shall have been paid."

Sir *Charles Wetherell* said, that this clause went to introduce into this realm a pure democratic right of voting, which was little short of Universal Suffrage. Indeed, in many places, the franchise under this clause would amount to Universal Suffrage. In truth, this clause, as well as the whole Bill itself, had been so often changed, and re-changed, and changed back again that it was not easy to discuss it with any degree of intelligibility, and it had, in fact, been rendered above the comprehension of most people. The present Bill, in its amended shape, of which he believed they did not possess a perfect copy, had been completely altered from the old bill. It had gone through so many successive changes, from the original draft, that it would be as rational to expect a man to understand it by comparing it with the original, as to suppose that a man having read the Delphin Terence, and then the Aldine Terence, would be able to give all the intermediate readings and versions of that author. The clause, as it originally stood, made the payment of the rates and taxes be precedent to the exercise of the right of voting. As the amended clause, however, stood at present, there was merely a proviso that the rates and taxes should be paid on a certain day. Now, if the election should take place several months after the 1st of July, which was the day named, on the payment up to which of the rates and taxes an individual obtained the right of voting, such an individual might happen to be in arrear of his rates and taxes, and he would still be qualified to exercise the right of voting. The Birmingham Union had compelled Government to accept terms, by which persons who paid their rent monthly, or even weekly, or daily, would have a right to vote, and by that means, create a pauper constituency, for in most large places, and particularly in Scotland, such persons would be found in the proportion of five or six to one of the better classes. Such a state of things as that, he would contend, would not merely give a facility for bribery, but would render the occurrence of bribery absolutely unavoidable. When the Bill should be put into a somewhat more intelligible form, he was determined to advert to this subject on a future occasion. He would only say, at present, that it was an imposition and a delusion to suppose, that this clause would limit the right of voting to *bonâ fide* tenants.

Lord *Althorp* would state, in two or three words, the meaning and object of this clause. The only leading alteration in the clause, from the form in which it originally stood, was this—that where a man claimed a right to vote, in consequence of being rated or assessed to the amount of 10*l.*, it was not necessary for him, under the present amended clause, in addition to the payment of his rates and taxes, to prove the payment of his rent. That was the only substantial alteration in the clause, from the form in which it had been originally framed. The other alteration which was now proposed in the clause was, to render the fact of registration sufficient to give the voter who should come up to the poll the right to vote, and the object of that was, to prevent any delay in the polling. With that view it was therefore proposed, that the having his name in the register should give him the right to vote at the poll, without any other question or any delay. If a man paid his rates and taxes up to the 1st of July, his name would be entered in the register, to be made up to the last day of August, in each successive year. Though it was possible that, under such an arrangement as that, there might occur instances of persons voting with arrears of rates and taxes undischarged, he thought that the twelve months' residence which the Bill required, previous to the payment of the rates and taxes, enabling a man to have his name put on the register, and the circumstance of the voter being still obliged to reside in the tenement from which he derived his vote, he thought, that such precautions as these sufficiently guarded against the occurrence of instances of voters being in arrear of the payment of their rates and taxes. The hon. and learned Gentleman, also was in error, when he asserted that the proportion of the smaller householders was as five or six to one, as he would convince him from the returns on the Table. He would take the metropolitan districts. In the Tower Hamlets, the total number of houses rated above 10*l.*, was 26,297; of these, the number between 10*l.* and 20*l.* was 12,830, which was a minority of the whole. In that district which included St. Giles, the total number rated in the same manner was 23,626, of which only 5,178 were under 20*l.* In Marylebone, the number was 22,637, of which only 3,019 were under 20*l.* In Lambeth, the number was 16,872, of which 7,648 were under 20*l.* The hon. and learned Member must therefore be convinced, that his statement was much exaggerated. He would deny altogether, that the operation of this clause would give rise to bribery. It was well known, that bribery was at present principally practised through the payment of rates and taxes for voters who were in arrear. He should like to see the candidate who would be inclined to pay the rates and taxes of all voters who should happen to be in arrear when this Bill was in operation.

Sir *Charles Wetherell* admitted the truth of the latter observations of the noble Lord, who had selected the most choice dishes of the feast, but the case would appear very different if the returns of Manchester were referred to: As a general proposition, he still adhered to his original opinion, and would contend, that the actual right of voting made the payment of rent and taxes a necessary qualification. This clause, as he understood it, would permit a right of voting without the payment of taxes, or even of rents; and, as he had before stood, he felt it his duty to oppose it, and would continue to do so. Why should the ancient usages of the country be destroyed? Then it appeared according to what the noble Lord said, that July and August were not the periods up to which the Poor-rates were settled or paid, and, therefore, the fixing such a period for conferring a right of voting would produce the arrear of rates, of which he had already complained, and which would lead to bribery at elections. It was well known, that the amount of Poor-rates and Assessed Taxes on a tenement rated at 10*l.* a year could not amount to more than 7*s.* or 8*s.* a quarter, and a candidate could easily buy up the votes of these small housekeepers, even in a numerous constituency without such a very great outlay. If money, therefore, was not actually paid to voters, these taxes might be paid by agents, nothing could be more easy to effect or more difficult to detect, and that payment no man could deny to be bribery. The Bill, taking it altogether, was of a republican character, and as such he would strenuously oppose it. To this clause he had insuperable objections, because it would make the poorer voters the victims of intrigue and bribery.

Mr. *Ewart* said, that all the holders of small houses in Manchester and the other great towns in the north, paid their rents weekly, and yet it would be most unfair to call them lodgers, particularly when it was recollected, that a year's residence was necessary to entitle them to vote. Mere weekly tenants would have no right of voting. The 10*l.* qualification would not diminish the respectability of the constituency so much as the hon. and learned Gentleman seemed to anticipate. He believed, that in all those towns, the houses above 20*l.* per annum were far more numerous than those let below that sum. In the manufacturing towns, there were more houses rented from 15*l.* upwards than were rented between 10*l.* and 15*l.* He would, therefore, strenuously support the clause as it stood.

Sir *Edward Sugden* said, that the returns from the districts in the metropolis, quoted by the noble Lord, would give the House no information as to the 10*l.* voters in the small towns throughout the country, which would predominate over the occupiers of the larger houses. As to the 10*l.* rent in London, why every man knew, that a tolerable dog-kennel could not be had at a less rate; but in many parts of the country, an excellent house could be had for that amount of rent. The clause, therefore, was wholly unequal in its operation; in some places it would amount to Universal Suffrage, in others it would disqualify most respectable persons. Besides, this clause created three or four classes of voters, at rates even below 10*l.*, and to that it was, that he had so often objected. He contended, that this clause would give the right of voting to a man who only paid an actual rent of 8*l.* a-year, provided his house was rated at 10*l.* If he paid 10*l.* rent, and his house was only rated at 8*l.* he would have no vote; and as he read the clause, provided the rates were paid, the voter might dispense with paying any rent whatever. If he were wrong, he wished to have information as to the real state of the noble Lord's intention. This clause, as he read it, was an exquisite piece of absurdity. There could be no safety against fraudulent votes, if any one person should have more than one vote for any house which he might occupy. He wished some reasonable limit to be put to the splitting of votes; but if this clause were to remain a part of the Bill, it would cause great confusion and bribery; it would lead to republicanism, and should always have his most unqualified opposition.

Mr. Alderman *Copeland* saw no reason why, in the parish of Marylebone it should require a qualification of 25*l.* to vote for a Vestryman, when 10*l.* would entitle a man to vote for a Member of Parliament; surely the latter was the greater and the more important trust; and if 25*l.* were deemed not too much in the case of a Vestryman, how much greater ought the sum to be in the case of a Member of Parliament? The real fact was, that the qualification was too low for London, and too high for such places as Sudbury. He, therefore, would be ready to agree to any proposal which went to establish a different criterion for London and for other towns.

Lord *Althorp* observed, that the hon. member for Boroughbridge had contended that candidates would be called on to pay the rates of the voters whose suffrages they solicited, but he felt assured, that the least reflection would satisfy every hon. Member that that could not be the case. From the regulations made, it would be next to impossible to effect it. Another hon. and learned Member attacked the clause on other grounds, noticing the probable effect of the measure upon the metropolitan districts, but there his argument must fail, for the proportion of 10*l.* householders must necessarily be smaller in the metropolis than in provincial towns, while in those latter, the holders of 10*l.* houses would belong to a more respectable class. The chief argument against the present clause was, that it let in a disreputable class of voters; that was the argument; but how was that consistent with the statement made on the other side, that in the provincial towns the voters from 10*l.* houses would be more respectable than in the metropolis. The hon. and learned Member also complained, that eleven persons residing in a tenement rated at 100*l.* a-year would not be allowed to vote, while ten would. That was, however, according to the principle of giving 10*l.* householders a vote, and he saw no absurdity in it.

Mr. *Frankland Lewis* complained, that there was a disposition in the supporters of the Bill to carry every clause, notwithstanding any arguments that could be made against it. He conceived that the present was the most important clause in the whole Bill, and he wished that Ministers would only pause and consider whether, by the clause, they were going to enfranchise a class of persons whose condition and habits in life rendered it likely that they would answer the objects for which the Bill was framed. Could any man flatter himself that the 10*l.* voters, generally speaking, would be more free from corruption, or more impervious to bribery, than those whom the Bill would deprive of their rights? Ministers had disturbed the elective system, which had grown out of the wealth, intelligence, and condition of the nation, without reflecting that they did not, in their changes, distribute the franchise which they created among the wealthy and intelligent parts of the community. They had done the very reverse of this, for they had given the rights of voting in a manner which had a direct tendency to increase bribery and corruption, and all those evil pratices, the existence of which was the ostensible ground of their pursuing measures of Reform. What sort of a constituency was the Bill about to establish? Where was the cottager who did not pay 5*l.* a-year? and where the inhabitants of a large town or city who did not pay 10*l.*? The principle of almost Universal Suffrage was the basis of the measure; and could he shut his eyes to the palpable fact, that, out of such a system as would spring from such a source, greater evils might spring than those which were produced by what is called the system of the boroughmongers? The alarming feature of the Bill was, that it confined its operations to prevent the rich practising bribery, without taking into consideration the readiness of the other classes to receive bribes. The middle and lower orders were not accused by the Bill, nor were the elective jobs committed by and for their benefit, taken notice of, yet it was notorious, that there was a species of corruption tenfold more base, and tenfold more mischievous and degrading, than that borough corruption against which the Ministers had directed all their power and influence. He alluded to a system which prevailed in great towns, of keeping people in clubs, congregated to drink and to smoke, and by these means, a constant system, of bribery in the shape of feasting, was continued from one election to another. These persons were kept together by somebody who addressed them as the Blues, and who told them that the blues had always stuck together as long as the Reds had been heard of, and that if they let the Yellows in, they would all be thrown over the bridge together. On the eve of an election, this speaker went up to London, where he said to some man of property, "If you pay me the 500*l.* I have spent in keeping these people together, and give me 5*l.* a man, I will engage to bring you into Parliament." It was wrong to hold up the borough corruption to the obloquy of the lower and middle classes, without holding up to equal obloquy the other classes of corruption that were known to prevail to a great extent. He would only refer to what had taken place at Liverpool and at Dublin. In the second and third cities of the empire, bribery had prevailed in the most flagrant degree, and to the disgust of every honest reformer.

If the system of Reform was to work well, Ministers must cut up by the root those small shades which had been allowed to exist between what was called corrupt influence and justifiable influence. They must cut up the system which placed the interest of honest men at variance with their duties. To make the Bill work well, they must form a constituency capable of appreciating the qualifications of candidates. Was such a constituency to be found in the 10*l.* a-year householders? He was sorry to say, that such was the general corruption, so corrupt had been the influence of the old system, that bribery in its worst nature now went into much higher classes than 10*l.* a year householders. It was by no means uncommon to hear, some days after an election, a respectable tradesman remark, "that it was very extraordinary that a person had left 10*l.* with his wife, which he said, had come from Mr. ——,whom they had just returned to Parliament." "Why, that is whimsical enough," says his neighbour, "for the same thing has happened with my wife." A third allowed that the same occurrence had happened at his house; but then a bystander asked, "Do you, respectable tradesmen as you are, not mean to return this money?" "Oh no," said the whole trio at once, "we have got the money, and we intend to keep it." So degrading was this pernicious practice. But it was not to these classes that bribery was confined, for it was well known that so extensive had the system grown, that it existed among persons who held commissions, or who practised respectable professions, and were in a station and under circumstances which ought to put them above being made the objects of such practices. He wished the noble Lord had taken the line marked out for him. He wished, for instance, in such a parish as Marylebone, he had taken the 20,000 tax or rate payers, and had made the third, or the 7,000 who paid the highest taxes, into a constituency. This would have been forming a system upon data already established. He wished also to call the attention of the Committee to the probable operation of this clause in many of the rural districts of boroughs. It provided, that every one who had a house valued at 10*l.* a-year, and all his rates paid up, should have the right of voting, but if the rates were unpaid, he would lose that right. In many of such places it was the custom to keep six months rates in arrear, many of the inhabitants would therefore be deprived of their votes for the district, and by the operation of other clauses of the Bill, many of them would be prevented from voting for the county. He therefore considered, that all these matters required amendment, and that they were legislating upon unsound principlss.

Mr. *Edward L. Bulwer* said, that the arguments of Gentlemen opposite were repeated a hundred times, and, if they were repeated a hundred times, he was sure it was not because they had not been a hundred times answered. Indeed, it seemed to be the peculiar province of those Gentlemen, not to know when their arguments were answered. They regarded their arguments in the same light as a poet had spoken of his warriors:—

"They'd not believe the vital spirit fled,
But still fight on, nor know that they were dead."

How often must it be stated, in answer to their opponents, that by adopting the 10*l.* clause, they fixed that as the minimum rate of voting, and thus excluded none of the upper classes, while they excluded all below those inhabiting a 10*l.* house? How many places were there, where this would be universal suffrage? Was the value of houses not constantly varying, and were they not inhabited by persons of every degree of respectability? It was said, that the qualification was too high or too low, according to the extent and situation of the place, so that the same amount of rent would produce aristocrats or democrats. If either were true, the other argument of the hon. Member fell to the ground. This was "to make the giants first, and then to kill them." What could be better than to establish a system of voting which would allow of such diversity? There was no truth more apparent than this, viz. that where men congregated in large masses, the more enlightened and intelligent they became. Consequently it followed, that to adopt a sound system, when they were about to rebuild their constituency, the suffrage should be more extensive and popular in the large towns, than in the small districts. The poor were exempted, not only because they were poor, but because they were ignorant also, and subject to the influence of the richer persons about them, while those clubs which the hon. Member had endeavoured to ridicule, promoted intelligence among the members, and by that means lessened the influence which could be exercised over them. The clubs made them better qualified to possess the elective franchise. It followed, too, as a matter of course, that in large towns, the more persons were excluded from voting, the more enemies the Constitution had. Those who were not electors, were a disorderly and disaffected rabble; all those who were raised to the rank of electors were converted into citizens, and interested in the preservation of the public safety. In large towns where excitement was freely communicated, and mobs easily collected, it was prudent to give the generality of persons an interest in political matters, beyond a momentary and drunken enthusiasm. In elections, the men who had no votes were always the most troublesome, and there was no better collateral means to preserve good order, than by shortening elections, thereby making them cheaper, which would tend to convince the poorer people of the value of a vote, and to encourage those who had none, to exert industry and energy to obtain them. It was consequently wise, to allow the qualification to be so fixed, as would enable the poorest man, by the exercise of these qualities, to elevate himself to the consideration of a citizen, from that of being merely one of a disorderly mob. Another favourite argument was, that a numerous constituency would be likely to return demagogues as their Representatives; but were 10*l.* householders to be compared with the scot and lot voters of some large towns at present? They would not be so numerous, and were likely to be much more orderly. And were the potwallopers found to return such persons generally? The House furnished proofs to the contrary; look at the hon. members for Lincoln and Durham. He therefore concluded, that hon. Gentlemen who made the remark, were not competent judges of who and what were really demagogues; and the cause of Reform at present before them furnished an illustration. They affirmed, that the desire for Reform was a violent passion; that the majority of the country were blind and deluded: he, on the contrary, affirmed, that the desire for Reform was rational, and that the blindness and delusion were both on the side of the minority. He would appeal to the people generally for proofs; where could any other parties be found better acquainted, more intelligent or alive to their own interests? He would appeal to any hon. Gentleman who had ever been a candidate for a large town, whether he had not to gain the middle as well as the lower orders; whether it was not usual to find some of this former class, who possessed, from a conviction in others of their superior knowledge or integrity, great influence over the lower orders? These persons must be convinced by reason that their interests as a body was comprehended and contemplated by the candidate. The strong-headed and sturdy middle classes were remarkable for a warm and hearty attachment to the security of property, and for a plain and dogged shrewdness of sense, both of which qualities rendered them extremely averse from all dangerous vehemence of opinions. The progress of liberal opinions was in exact proportion to the progress of education, and it was impossible to influence such persons without addressing their judgment.

Mr. *Frankland Lewis* said, he was no advocate for diminishing the constituency, as had been insinuated by the hon. member for St. Ives. All he had meant to say was, that where the constituency was very numerous, the qualification should exceed 10*l.* He approved of the extension of the suffrage to the tenants at will, and the hon. Gentleman, when he talked of the candidates of populous towns being compelled to conciliate the middle classes, and through them to influence the lower, must know very little of what frequently occurred. In several of the Irish elections, it was not uncommon to prevent the voting of the electors opposed to the popular candidate, by force. And, to go no further than Westminster, occurrences had taken place, which proved sufficiently that unless a candidate went with the current of popular favour, he appeared there at the hazard of his life. At Clare it was proved that a butcher kept guard on the O'Brien voters, and they were detained in durance until they had consented to vote against their own party. He must also apprise the hon. Gentleman, that these influential persons he had referred to, among the middle classes in large towns, generally came under the description of those persons he had brought under the notice of the House as agents, and it was likely the hon. Gentleman would some day be assured of the fact, that such partisans derived the principal part of their influence through the agency of party clubs and meetings.

Mr. *Trevor* said, the hon. member for St. Ives had been pleased to assert, that Gentlemen on his (Mr. Trevor's) side of the House did not know when they were answered. He must certainly plead guilty to that grave and serious accusation, if the hon. Member had given an answer to the speech of his right hon. friend who preceded him. He denied, that the elective franchise was at all likely to be exercised with more purity by the 10*l.* voters of London and its purlieus, than by the non-resident freemen whose rights were to be stripped from them altogether. Instead of giving the franchise to the talent and wealth of the country, they were about to give it to the passions and violent prejudices of a portion of the people, and take rights and privileges from others who at least would exercise them better than the class on whom they were to be bestowed. One of the most absurd anomalies in the Bill was, to put an end to bribery and corruption in the non-resident freemen, by enfranchising the 10*l.* householders, a class which would be found quite as open to bribery as the non-residents. Whatever benefits hon. Members on the other side expected from the measure, he feared they would be disappointed. The eyes of the public began to be open to its imperfections; many of the persons whom he had the honour to represent, who were at first clamorous for the measure, now exclaimed against it with equal violence. These facts would show themselves in spite of all the sophistry that could be uttered in that House to gloss them over. He must, therefore, notwithstanding the disapproval of the hon. member for St. Ives, take to himself the right of speaking and protesting against the measure, as often as he thought it necessary in the discharge of his duty to those constituents. They had sent him to that House, pledged to a course very different from that to which Gentlemen opposite were pledged. God forbid, that he should say that they were improperly pledged, and he trusted they would allow his motives to be as pure as their own.

Sir *John Bourke*, with a view to recall the attention of the Committee to the subject-matter actually under its consideration, requested the Chairman to state what that subject-matter was.

The Chairman accordingly read the clause as above.

Lord *John Russell* said, he did not rise for the purpose of making any remarks on the general merits of the clause, but merely to state what he thought was the best mode of proceeding. The course adopted by some hon. Members was very inconvenient, and he was sure Members would consult their own convenience, as well as shorten the discussion, if they were to adhere to the general practice, and argue the merits of any particular clause, either when the whole clause was first put, or when it was moved, that such a clause stand part of the Bill. He thought, therefore, it would be better to go on with each of the divisions of the clause, and speak to them only, and then discuss the general merits of the question, when the whole clause was put by the Chairman.

Mr. *C. W. Wynn* would not enter into the question, whether or not the mode proposed by the noble Lord, was the best or the most usual, but he thought the important question was, whether they should discuss the clause at a time when the House was full, or leave it to a late hour, when they were not capable of doing justice to it.

Lord *John Russell* said, all he proposed was, to go on clause by clause, and, if there should not at the end be time to discuss it fully, he would make no objection to postpone it till a more suitable hour.

Colonel *Sibthorp* said, he had been informed, that in his absence the hon. member for St. Ives (Mr. Bulwer) had passed some strictures upon the frequency with which he addressed the House upon this question. Perhaps his remarks were not very palatable to the hon. Member, but he should certainly not put them forward the less frequently on that account. He as well as others found great difficulty in persuading Gentlemen on the other side to allow them a hearing, so much so that, on the previous night the confusion in the Committee was so great, that he began to think it would be necessary for the Chairman to read the Riot Act. He still continued to entertain the opinions he ever had done with respect to this clause; it would give political power, and the elective franchise, to the dregs of the community. He wished to repeat a question which had been put to the Chancellor of the Exchequer, namely, whether he meant to include as voters that class of persons, for whom their landlords paid rates and taxes, and who in some places could be considered in no other light than paupers? Probably the hon. member for Liverpool would condescend to inform him, whether a large class of the 10*l.* householders of that town were of so low a grade, that their landlords, by a bye-law, were bound to pay their rates? If so, the elective franchise would be reduced to the grade of three-halfpenny householders, and this was the description of voters the Bill and the whole Bill would establish. On that occasion he should say no more, but reserve his further observations on this subject to the period of bringing up the Report.

An *Hon. Member* complained that two or three hours had been consumed in a fruitless discussion, and by hon. Members who complained most of delay.

Major *Macnamara*, as a member for Clare, complained of the frequent allusions which had been made to the election for that county, and denied distinctly any participation or knowledge of the transactions to which the right hon. Gentleman had alluded.

Mr. *Frankland Lewis* said, his observations did not apply to the hon. Gentleman as a candidate. What he had censured were the practices of the other candidate (Mr. O'Gorman Mahon), and these practices were fully proved before the Committee which had unseated that Gentleman.

Mr. *John Weyland* said, that in such towns as Brighton, Cheltenham, and others, it was probable that the houses of a higher rent than 10*l.* constituted the greater part, but in other towns, and taking the great towns generally, the houses rented between 10*l.* and 20*l.* would be more than double the number of houses of a higher rent. To give votes to the 10*l.* householders, therefore, was, in his opinion, handing over the franchise to the lowest classes, who had objects of their own to obtain, and would return Representatives most likely to gratify their passions. He was sorry to express this fear, but he had such a fear; and he was further afraid, that on any popular questions—such as the Corn-laws, the great accumulation of property, the National Debt, and such questions—there would arise great danger to the best interests of the country. Gentlemen would be mistaken if they thought that they could influence the people, when under excitement, as they might wish. This was the most important clause in the Bill, and he hoped it might receive a statesmanlike consideration.

Mr. *Hunt* had listened to the statesmanlike speech of the hon. member for Hindon (Mr. John Weyland), and to the novel speech of the hon. member for St. Ives (Mr. Bulwer); he had listened also for three hours to different speeches, and not one word had he heard about the business before the House. He wished to learn from the Chair whereabouts the House was, for he did not know.

Mr. *Bernal* stated, that he had already read, three or four times over, the Clause before the Committee, and had previously stated the Amendments proposed.

Mr. *Hunt* said, he was sure that the hon. member for St. Ives would at length be obliged to agree to his plan, of giving the franchise to all householders. He thought the noble Lord, too, would avoid many difficulties, evade many objections, and render the Bill much more satisfactory to the country at large, if he at once adopted that suggestion, and allowed a vote to every householder who contributed to the rates and taxes. Numbers were, he was sure, the best of all securities against undue influence, and the use of bribery. The hon. Member opposite (Mr. F. Lewis) told a foolish story about the wives of voters receiving bribes, but he would tell that right hon. Member in return, that he knew nothing of the matter if he supposed the wives of respectable tradesmen would condescend to receive a paltry bribe of 10*l.* He knew also, that the lower orders, as they were called, were the least likely of all persons to be bribed. Look to Preston. There were seven thousand voters in that town, and he should like to see the man who would attempt to obtain their votes through the means of bribery. Look again at Liverpool; were the lower classes the only persons who accepted bribes? He had received information, on which he could rely, that at the recent election for that place, Magistrates were paid for their votes. With respect to that part of the clause which required the payment of a rent of 10*l.* to qualify a householder to vote, he should like to know whether those persons would be qualified who paid a sum of 10*l.* as rent, but a part of which went to the landlord on account of rates which he engaged to pay for them? There were a vast number of houses of that description, both in the country and in the vicinity of the metropolis. Some distinction should be made with respect to these, as had been already observed. A house that would let for 10*l.* a year in a town, might be had for a third of that sum in the country, and that made it necessary to lower the qualification for the latter. Reflections had been cast on the respectability of the 10*l.* householders, and it was said they were in the country composed of grocers and chandlers; but he could tell the House, that the grocers and chandlers of a market-town were persons moving in the better ranks of life, and composing what is called the middle classes of society. It was very different in the vicinity of the metropolis. In Lambeth, for instance, where you could not enter an alley or a lane, in which the occupiers of the houses did not pay much more than 10*l.* rent, and even let out single rooms in them by the week to others, at a rent amounting to 10*l.* or 15*l.* yearly. It would be a hardship in such persons if they were to be deprived of their votes, when they paid their landlord an additional rent to avoid the trouble and vexation arising from parochial charges, unless by the operation of this clause, they paid these rates for a year before they could enjoy the privilege of voting. The clause should be so worded, as to admit such parties to vote without being subject to this proviso.

Sir *Robert Peel* said, that he would adopt the suggestion made by the noble Lord, and postpone the discussion on the principle of this clause, until all the amendments had been made in it, and the question was put, that these amendments stand part of the clause. His reason for doing so was, that he did from his heart sympathize with the noble Lord as to the delays interposed to the progress of this Bill, not by its opponents, but by its supporters. All the Gentlemen opposite were ready enough to hasten over the destructive part of the Bill, but now, that they had come to the constructive part of it, more strenuous advocates for delay could not be found. He saw from the Order-book, that one Gentleman who had supported the second reading of the Bill, had given notices of four amendments upon it; at least, he saw the name of Mr. Hughes Hughes appended four times to such notices. As he saw no prospect of getting through these amendments, at their present rate of progress, in four months, he would postpone to the period which he had before mentioned, the discussion upon this clause. He rose, at present, to ask the noble Lord opposite a single question. At present, to qualify a renter of a house of not less than 10*l.* yearly value to vote, all the rent which shall have become due from him previously to the 1st day of July in each year must be paid up. Now, in the midland counties of England, the practice was, not to collect the rent, legally due at Michaelmas-day and at Christmas-day, until three months after each of those periods; and if this clause were passed in its present shape, the result of it must be, to alter the present practice; for no tenant would have a vote unless he should have paid up his rent on the day it became due. This would cause great dissatisfaction in the country; for it would deprive the tenant of a privilege to which he had been long entitled. He wished to know whether this point had attracted the attention of the noble Lord.

Lord *John Russell* replied in the affirmative, and said, that it had caused an alteration to be made in the clause to suit that practice. As the clause stood now, the tenant was not called upon to prove that he had paid his rent, unless he claimed to vote entirely upon the amount of his rent. If he could show that rates and taxes upon a rated amount of 10*l.* had been paid previously to the 1st of July, that would be enough; but if he could not do that, and claimed to vote as a 10*l.* renter, he was called upon to show in that case that the amount of his rent was 10*l.*, and that he had paid it, as well as poor rates and taxes. Such being the case, he thought that no inconvenience would arise from the clause as at present worded.

Sir *Robert Peel:* The clause as amended will open a wide door to bribery and fraud. For the candidate will only have to pay up the poor-rates and taxes of an insolvent tenant, who is in arrear to his landlord, to entitle him to vote; by such means corruption will prevail to a greater extent than ever before known.

Mr. *C. W. Wynn* said, that at an election which took place fourteen or fifteen years ago in Westminster, it was reported that poor-rates and taxes to a very considerable amount were paid up to qualify a number of individuals to vote for one of the candidates. Now what had happened at Westminster might happen again under this clause. He also wished to remind the noble Lord, that the rates were collected at Christmas and in June, and not between July and August. As the clause stood at present, considerable inconvenience would arise to the public from that arrangement.

Lord *Althorp :* The objection to this part of the clause is, that it opens a door to bribery, because the paying up of rates and taxes by candidates is a mode of bribery. The right hon. Baronet must, however, observe, that whatever is done by a candidate in the way of paying up rates and taxes under this Bill, must be done every year to enable the voter to be entered in the registry. Under the present system, if the rates are paid up at the moment of the election, it is enough; but under the Reform Bill, if a candidate wishes to keep a voter on the registry, he must pay up his rates and taxes twice every year, even though he may not want him, and there may be no election during the year. I do not say, that it is impossible, that any man will do this; but I will say, that the temptation to do it is much lessened. I therefore am of opinion, that the objection of the right hon. Baronet does not apply to the present arrangement.

Sir *Robert Peel* replied, that people were generally aware sometime beforehand when a general election would take place. The consequence would be, that when a general election was expected, the candidate would pay up the voter's rates and taxes for the previous half year. He would thus get the voter's name on the registry, and the voter might then forget to pay up the rates for the next half year. Besides, he wished to know whether it would be bribery for a candidate to pay up a voter's rates and taxes which were due a year before the election? He believed that a Committee of that House had decided, that to pay up the rates and taxes of a voter, to enable him to vote, was not bribery.

Mr. *C. W. Wynn* thought, that the Committee ought not to forget, that the most usual time for a general election was between the 1st of July and the middle of August; the very periods of time so unfortunately fixed in this clause.

Lord *Althorp* said, that if an election were to take place in July, 1833, the voters must be registered in August, 1832. The candidate must, therefore, foresee in August, 1832, that the election would take place in July, 1833, and, foreseeing that, must pay up for the voter all rates to August, 1832. Now, he really thought that no man would think it worth his while to go to such an expense for the mere sake of catching a contingent vote.

Mr. *C. W. Wynn* called the attention of the noble Lord to another point. He had been long a resident in London, but he had never been called on to pay rates in the interval between the 1st of July and the middle of August. Would the nonpayment of rates during that interval, when he might be absent from town, and when he might not know where to find the rate-collector, disqualify him from being registered as a voter?

Colonel *Davies* reminded his right hon. friend, that if he were absent from town, he might leave directions with his agent to seek out the tax-collector, and to pay his rates, and by so doing he might get his name entered on the registry. His noble friend, the Chancellor of the Exchequer, had already given a most satisfactory answer to the objection of the right hon. Baronet; but he might have added, that Parliaments did not always die a natural death, and that, therefore, a candidate must have great sagacity who could foresee, from afar, in which year of its legal existence its dissolution would take place. He had, however, one objection to that part of the clause which allowed the voter to vote on his proving, that he was a 10*l.* renter. It opened a door to fraud in this manner. A man might let another a house at a rent of 8*l.*; but in order to give his tenant a vote, might stipulate that the tenant should give him 10*l.* a year, of which he would return 2*l.* to the tenant. This was the case at the late Dublin election, for many fictitious votes were created by this process. A put a bank note into B's hand, and received a receipt; the note was then returned, and a smaller sum than that specified really paid as rent. How, in such cases, could the fraudulent be distinguished from the *boná fide* voter?

Sir *Charles Wetherell* said, that he had put all these questions to the noble Lord at an early period of the evening, and that he had received the same answers as his right hon. friend from the noble Lord, —answers which, in point of fact, amounted to nothing. Suppose an election should take place in the beginning of July. It was almost impossible but many tenants would then be in arrear. In that case, every 10*l.* tenant would be a tool in the hands of his landlord, who could prevent him from voting, or enable him to vote, just as he pleased. There must be considerable arrears of taxes at the time of registration. It was his most deliberate opinion, that the working of this clause would be, to exclude many respectable householders, and to bring the holders of small tenements completely under the control of their landlord, he managing that the rent should be paid with a view to the period of registration, so that, according to his pleasure, the tenant should, or should not, have the franchise.

Lord *Althorp* had stated already, three times, to the hon. and learned Gentleman, that this argument was founded on a part of the clause which had been altered, and did not now exist; and he would not waste the time of the Committee by endeavouring to explain the same point a fourth time to the hon. and learned Gentleman.

Sir *Edward Sugden* wished to know what remedy the tenant would have, in case a landlord, with a view to disfranchise his tenant, got out of the way, and refused to receive his rent before the day of registration?

Lord *Althorp* said, the hon. and learned Gentleman had asked him what was to be done, in case a landlord, who was entitled to receive his rent in June, would not receive it, in order to disqualify his tenant from being registered in August? He really must say, that he did not consider himself called upon to meet such improbable objections, which could have no foundation except in the ingenuity of the objector. He would only observe, that unless a landlord had a great number of tenants, he could produce no influence on an election by thus getting out of the way; and if he had a great number of tenants, the rent which he would have to receive would be a sufficient security that he would not get out of the way to disfranchise his tenants.

Sir *Edward Sugden:* But a landlord can recover his rent at any time, and therefore he will be no loser by allowing the payment to be withheld from him for a short period.

Mr. *C. W. Wynn* said, that the custom at Westminster was, to collect the rates and rents due at Christmas and Midsummer, three months after each period. As the time of registration was fixed for the 1st of August, he would suggest, that six months at least after such rents and rates were due ought to be allowed to prevent, on the one hand, the influence of the landlord being improperly exercised, and, on the other, the exclusion from the right of suffrage, consequent upon the neglect or inadvertence of not paying such charges duly up.

The Chairman then put the first part of the question, that all the words after 10*l.*, in line seven of the old print of the Bill, down to the words "rent as aforesaid," be omitted. This was carried without a division. He then put the second part of the question, which relates to the insertion of the amended clause, in lieu of the words omitted.

Mr. *C. W. Wynn* thought, that an interval of more than six weeks should be allowed for the collection and payment of the rates and taxes.

Lord *Althorp* said, that if his right hon. friend had been in the House at an earlier part of the evening, he would have learned from the explanation of his noble friend that there was nothing in his objection. He wished that a person should be allowed to vote notwithstanding he was six months in arrear with his rents and taxes. By the clause, as it now stood, if a person proved that these were paid up to the 25th of March, 1831, he would be entitled to be registered in the August following for a twelvemonth. As to the objection, that rates were not usually paid for a quarter after they were due, he did not understand there were particular days to demand them, and the objection could otherwise be of no weight, because the householders might always send them to the collector.

Mr. *C. W. Wynn* said, his noble friend, as the Minister of Finance, must, of course, be well aware that it was not the usual custom to collect the Midsummer rates until September. He would assert, without fear of contradiction, that this was the case at Westminster, and the result would necessarily be, that all those persons who were out of town at that time, and whom the tax-gatherer knew he could depend on to pay their rates, upon their return would run the risk of being disfranchised.

Lord *John Russell* said, that though the assessed taxes were by law due every quarter, it was the custom to collect them only twice in the year. One portion became due on the 5th of July; it was, however, generally collected in September and October. By placing the 1st of July in the clause, they excluded the taxes due on the 5th of July. The assessed taxes due in February were collected in April or May, and those taxes must, by this clause, be paid previously to the 1st of July.

Mr. *Wilks* observed, that the assessed taxes were also due in April and in October, and that, on the 5th day of each month, they were collected or collectable. As to the parochial rates, they were invariably paid quarterly [*cries of* "*no.*"] They were certainly so in the metropolis, for he had recently looked over forty local Acts, and had not found one exception to that rule.

Mr. *C. W. Wynn* admitted the correctness of Mr. Wilks's observation, but said, that the taxes were only collected half-yearly.

Mr. *Hunt* reminded the Committee, that the poor-rates might be collected twelve times a year. He believed that this clause, which stipulated that all rates and taxes due up to a certain day must be paid before a man could vote, would be a good fiscal plan, but he was sure that it would not be a good measure for the people.

Mr. *Wilks*, in reply to the hon. member for Preston, begged to observe, that he could not see how this clause could be considered oppressive on the people. They were allowed three months under it for the payment of their rates, which surely was ample time.

Mr. *Hunt* said, at present taxes due in April were not collected until June, and those due in October not till a similar lapse of time. By this clause, if persons wished to exercise their franchise, they must pay them up on their becoming due.

Lord *Althorp* asked the hon. member for Preston, what was the case already with regard to all scot and lot boroughs? Was it not necessary that all taxes should be paid up to the time of voting?

Sir *Charles Wetherell* said, he was quite sure that the Gentlemen who were making those noises were not Reformers; for he was now standing forward as *amicus populi.* He wished the House to look at this popular Bill; for he was now acting the part of a popular Reformer. As the clause was now worded, if a man had not paid every farthing of his rent, he was not entitled to a vote, even though he had paid all his rates and taxes.

Lord *Althorp* wondered how the hon. and learned Gentleman could persist in arguing upon a blunder which he had already pointed out to him three or four times. The hon. and learned Gentleman assumed that, in all cases, it would be necessary for the voter to prove the payment of his rent. That was not so. He had repeatedly explained to the hon. and learned Gentleman, that the proof of the payment of rent was only necessary when the voter claimed to vote exclusively in right of occupying a house of 10*l.* rent.

Mr. *Frankland Lewis* observed, that by this Bill one of four things must be done to acquire a vote in boroughs. In the case where the vote depends on the payment of a certain amount of rent, the rent of June must be paid before the 20th of August. In his part of the country, and he believed in most others, the custom was, to pay one half-year's rent under another; that is, to allow the tenant to be always half-a-year's rent in arrear. But the farmers were at present so poor, that they would not be able to pay the rent of the July half-year by the 20th of August, and thus the franchise which rested on rent would be reduced to a nullity. The next condition was the payment, up to the day, of the poor-rate, at 10*l.* a-year. Now this, it should be remembered, did not amount to the same thing as living in houses of 10*l.* a-year value, for many houses, it was notorious, were rated at half their value, and others at even less than one-tenth. He, therefore, conceived, that such inequality of rate would encumber the exercise of the second right with considerable difficulties. In most parishes a new valuation would be necessary to meet this, which would be attended with considerable expense. Another qualification depended on the rating by the house-tax, and the effect of this would be, to impose a penalty of tax upon many farmers (at present exempted), in order to entitle them to vote. He believed farm-houses were exempted by law from the payment of this tax, and the clause, by obliging the occupiers to pay it or lose their elective franchise, would be a severe penalty on them, and, coupled with the inconvenience of paying rents and taxes before the time usually appointed for that purpose, would create great dissatisfaction. The other mode of qualifying was, however, the most reprobated and the most objectionable of the whole—namely, the abstract valuation of the premises, for it created the necessity of introducing complicated and embarrassing machinery, inasmuch as it required the interference of a Valuer, an Overseer, and a Barrister. Every part of the clause was calculated to produce much hardship.

Lord *Althorp* said, he had so often replied to the objections respecting the payment of rent, that he would not weary the Committee by repeating them. With respect to the argument of the right hon. Gentleman, that certain farmers were always six months in arrears with their rent, and by that means would be deprived of their votes, this could only apply to those who paid 50*l.* yearly rent, and surely the right hon. Gentleman did not mean to say, that such persons were not rated for the poor-rates. He was ready to admit, there was some foundation in the objection as to the poor-rates and taxes being paid up; and, to obviate this, they extended the right of voting to houses of 10*l.* value. It was very difficult to settle the question of actual value and the accuracy of rates, and these were the reasons why other modes of qualification were resorted to. One of the right hon. Gentleman's objections in some degree neutralized another, as the circumstance of some houses being rated below their actual value was the reason which induced Government to propose the other modes of qualification.

Mr. *Hunt* said, the clause had been justly called the landlord's clause, and he should move, that the word "rent" be left out, as he considered, that the clause as now constituted would very much aggrieve the 10*l.* householders by its operation [*coughing.*] This was the way in which he always found himself received when he attempted to assert the rights of the poor, but the public should know that hon. Members endeavoured to cough him down, and they should also be made aware of the reason why he had been so treated. The landlords' clause, making the voters pay up to the day, he insisted would never answer [*much coughing.*] Since he now found that this conduct was persevered in, so as to prevent him from expressing his opinions, he should move an adjournment, and stand upon his right to be heard so long as he had any thing to offer. Order having been restored, the hon. Member repeated his objections to the clause, and said he should take the sense of the House upon it.

Colonel *Davies* remarked, that the hon. Gentleman's Amendment would make mere nonsense of the entire clause. Great numbers would be qualified by the payment of rent only, and such persons this omission would wholly incapacitate from the exercise of their franchise.

Mr. *Hunt* denied that it was his object to "make nonsense" of the clause as it originally stood.

Mr. *D. W. Harvey* admitted, that the intention of the hon. Member was good in itself, but its effect unquestionably would be, to defeat the interest which the hon. Member had stood forward to advocate. The necessary consequence of a decision in the affirmative must be, that the right of voting would be limited to householders who paid from 10*l.* to 15*l.* a-year, and that, he apprehended, was a result which the hon. Member had not either desired or anticipated. He regretted to perceive, that the attention of the hon. member for Preston appeared to be otherwise directed, as it was to him in particular that he was addressing his remarks.

Mr. *Hunt:* You would'nt hear me. [*The Hon. Member coughed aloud.*] There, now, that is a specimen of the treatment that I received while I was speaking! [*general cries of "Chair, chair."*]

The *Chairman* said, he was quite sure he need not impress upon the hon. Member, that he was pursuing a course which seemed to require explanation. He felt particularly convinced, that the hon. Member would never have so acted, except under the impulse of a momentary excitement produced by the heat of debate.

Mr. *Hunt* expressed his contrition "for having followed a bad example."

Mr. *D. W. Harvey,* in conclusion, observed, that in general no rent which had been due at Midsummer was ever paid before October, and the rent due at Christmas was paid in March or April; to declare, therefore, that no person should vote who had not paid his Midsummer rent in July, would exclude many from the franchise. He hoped, therefore, the noble Lord would consent to some alteration in this respect.

Lord *Althorp* could not see, that the particular period at which rent was paid made any material difference: the general object of the clause was, to ascertain that the rent due at Lady-day was paid before the time of registration.

Mr. *Hunt* said, he had so great an

objection to making the payment of rent a qualification, that he should persist in dividing the House upon it, as the principle had never hitherto been recognized in Representation.

Mr. *C. W. Wynn* said, a man might not have a receipt for his rent paid, from some arrangement between his landlord and himself, and, therefore, this was the worst security that could be devised to obtain *bonâ fide* voters.

Lord *Althorp* said, that if the payment of 10*l.* a-year was to be a qualification at all, it was absolutely necessary there should be some security that it had been regularly paid up to the particular day specified. If a person could not prove the payment of his rent, he would lose his vote for the time, but would recover it when the arrears were paid up.

Mr. *C. W. Wynn* said, that in periods of distress, according to his noble friend's own shewing, many persons must be disfranchised. In many such cases the landlord allowed the arrears to run on, and this would give him great facilities to influence the votes of his tenants.

The Committee divided on Mr. Hunt's Amendment; Ayes 10; Noes 353—Majority 343.

List of the Ayes.

Castlereagh, Viscount
Freshfield, J. W.
Lindsay, Colonel
Loughborough, Lord
Mackillop, J.
Miles, W.
Miller, W. H.
Stuart, J.
Trevor, Hon. A.
Yorke, Captain

TELLER.
Hunt, H.

The Chairman put the question—"Provided, also, that no tenant so occupying such premises as aforesaid, at a yearly rent of not less than ;" the Question was, that the blank be filled up with "ten pounds."—Agreed to.

The Chairman read the remainder of the Clause—"Shall, by reason thereof, acquire a vote in the election for any city or borough, if, by any agreement or contrivance, or by virtue of any Act of Parliament, or otherwise, the landlord shall be liable to the payment of the rates for the relief of the poor, in respect of such premises."

Mr. *John Campbell:* In rising to move an Amendment, of which I have given notice, I must begin by complaining of my hon. and learned friend, the member for Boroughbridge, who was pleased to observe, that by giving this notice, I showed that I was no friend to the Bill. Sir, it is because I am a sincere and ardent friend of the Bill, that I wish to remove from it a defect, which, I conscientiously believe, will endanger its success in Parliament, and will bring odium upon it should it pass into a law. But it is with the greatest reluctance that I present myself to the Committee, and I am only impelled to do so by an imperative sense of duty. This is my consolation, that I do not proceed on any speculative notions of my own. I support the Bill as it was presented to the House by his Majesty's Ministers. My object now is, to guard against what I must consider the mischief of having something much beyond the Bill. I would not interrupt the progress of the measure for a single hour, by attempting to correct any omission which might afterwards be rectified, but the mischief I seek to prevent would be irremediable. I wish to withhold the elective franchise from weekly tenants and lodgers. If once conferred, it could not be taken from them. As the Bill was originally framed, and approved of by the public, they were not intended nor understood to be included. The qualification was, "occupation for a given time of a house of the yearly value of 10*l.*" In point of law, there must still be a yearly taking by the clause as it is now framed; but it will be evaded by the following contrivance—"I let you a house for a year, at 10*l.*, payable by weekly payments of 3*s.* 10*d.* a-week, to be paid weekly, and a week's notice to quit shall be sufficient reciprocally." Thus, a weekly hiring is converted into a yearly tenancy, without any alteration in the rights or liabilities either of landlord or tenant. But this would be a mere evasion. Where there is a *bonâ fide* yearly letting, the rent never is reserved more frequently than quarterly. I appeal to all professional men, to all landlords, and all tenants, in the House. Weekly tenants will thus be admitted. See the mischiefs:—In the first place, the tests of sufficiency to enjoy the elective franchise specified in this clause are unequal, and lead to different results. There is only one qualification—occupying a house of the yearly value of 10*l.* The assessment, rating, and rent, are taken as criteria of value. They are all fair, if the rent is a yearly rent: yearly rent and yearly value are the same; but weekly rent and yearly rent (or yearly value) are wholly different. If let by the week, there is the trouble of collection, and the risk is run of the house being empty a part of the year, as well as of the insolvency of the tenant. In practice, they are very different. At Sessions I have known many instances where a weekly payment of rent amounting to 10*l.* has been proved not to be worth more than 5*l.* or 6*l.* if let by the year. The consequence is, that the same house, in the same town, will give a vote or not, according to the manner in which it is occupied or let. If occupied by the owner, or let for a year to a substantial tenant, no vote is gained; but the weekly tenant has the elective franchise conferred upon him. Then, consider what the class is on whom the elective franchise is thus to be conferred. I feel, that it should be given to all who can be safely intrusted with it—all, even the lowest, have an interest in good government; and I must ever admire the sentiment contained in the writ of Edward 1st, by which the House of Commons was first regularly assembled—"*quod omnes tangit, ab omnibus approbetur;*" but some limit must be put to the exercise of the right. Who are these weekly tenants? Journeymen workmen, in the great manufacturing towns—dependent upon their master and their landlord—I am afraid often improvident and thriftless, and, for that very reason, weekly tenants. This must likewise be considered, that, in many cases, the weekly payment is made for a loom or machine attached to the lodging, the value of which ought to be deducted from the value of the house, although, in point of law, the rent would be considered to be in respect of the house. Remember, likewise, that under the name of "house" every lodging is included, to which there is an outer door in the command of the tenant or lodger. Therefore, if there be a common staircase, there may be many houses under the same roof. Why are the payments weekly? From want of capital or want of credit. Is he to acquire the elective franchise whom the landlord will not trust for three months the trifling amount of 2*l.* 10*s.*? He could not, by such a renting, acquire a settlement as a pauper. The noble Lord stated, that a deputation had waited on him, of great intelligence. A similar deputation might have been sent from other classes—from domestic servants—and might have displayed equal intelligence, and brought forward equally plausible claims. If the favoured weekly operatives are respectable, and ought to be admitted, then, do not exclude others in the same town, at least as respectable and independent—the owners or yearly tenants of 8*l.* houses. If the annual occupation is enough, then stick to that; make that the only qualification, and disregard value altogether; but if value is an ingredient, act upon it uniformly. I now come to state an objection to this class of voters, which, to my mind, is conclusive. I mean their dependence upon the landlord. The answer attempted to be given to the objection as to agricultural tenants at will was, that they could only be turned out by a six-months' notice to quit, expiring at the time of the year when the tenancy commenced; so that it may be many months before the tenant can be ejected. But this class of voters may not only be immediatly punished for their vote, but they may be actually disfranchised between the teste of the writ and the day of election, nay, between the proclamation of the election and the day when it takes place; between which two days, there may be an interval of a week. A notice to quit is given; the tenant either quits, or he does not. In either case, he is equally disfranchised; for if he remains, he is not a tenant, he is a trespasser, The qualification in respect of which he was registered is gone, and, if he takes the oath, he is guilty of perjury. Whoever proposes, that such men should have the elective franchise, ought certainly to add Vote by Ballot for their protection. Do not let it be supposed that aristocratic influence is thus increased. The landlords of such tenants are not great landed proprietors, but speculating builders, who seek to turn a piece of ground to the best account, and will introduce the sums they receive for the votes of their tenants as an item in the balance sheet. I could mention one man, who, in Southwark, is the owner of 500 houses, let to weekly tenants. He may be very respectable; but is such power to be conferred upon him, and is he to be made a borough lord? To remedy this evil, it has been proposed to enact, that no landlord should give his tenant a notice to quit upon a general election, or on a vacancy while Parliament is sitting. But this would be a most improper interference with the contracts of individuals. The tenant has said—I agree to quit at any time upon a week's notice. What right have you to say, that such notice shall not be given, or that the tenant shall continue to occupy, in spite of it? The true remedy to prevent evasion is, to enact, that rent shall not be payable more frequently than four times a year. This can produce no hardship; for if the house really be of the value of 10*l.*, and the tenant has credit or capital to be trusted, it may easily be converted into a *bonâ fide* yearly hiring, or he may prove the yearly value, or be assessed or rated upon the yearly value. Nor does this regulation impose any additional inquiry as to payment of rent; for as the clause stands, payment of rent must be proved, and if the payment be proved, it will be seen how it was payable. For these reasons I feel, that I am bound to offer my Amendment. I differ a little from my hon. and learned friend, the member for Newark, in the admonition he last night addressed to us, which, I own, seemed to me to savour too much of the doctrine of passive obedience to the Minister of the day. I have hitherto voted for this Bill on every division, not because it was brought forward by his Majesty's Ministers, but because, after the exercise of my own deliberate judgment, I approved of its provisions. Upon this occasion, I must use the freedom to say, that I stand up for the Bill, and its authors have deserted it. But I care not for the taunts that proceed from the one side of the House, or the dissatisfaction which may be felt on the other, while I boldly discharge what I consider to be my duty. The hon. Member concluded by moving as an Amendment, "that no tenant shall be admtted to the exercise of the elective franchise, who may be compelled to pay his rent more frequently than four times a year."

Lord *Althorp* admitted, that the propositions of the hon. and learned Member deserved consideration. The first objection of any weight urged by him was, that a class of persons would be admitted to vote under this clause, whom their landlords would not trust for a longer time than a week. But he did not think the objection taken to such weekly tenants possessing a vote was good, because they must have been, at least, by the Bill, one year in possession of their tenements before they became entitled to their registry, and must have paid 10*l.* He therefore was decidedly of opinion, that persons who had done this, whether by monthly or weekly payments, were entitled to vote, and the regulation as to the time of payment was often for the convenience of the landlord. As to the power with which the landlord would be invested by this clause, all he could reply to the observation of the hon. Member, respecting the misapplication of such power, was, that the landlord, by giving notice to his tenantry to quit at a week's warning, would thereby incur such a loss as no exercise of the influence possessed by him would compensate for; and where such an influence as that said by the hon. and learned Member to exist, was created in a tenantry of 500, why he doubted whether any landlord would readily sacrifice such a certainty to the precarious chance of an influence in the return of a Member to that House. Although the objection, therefore, had an alarming appearance at first sight, yet it was not much to be dreaded, for the very number of the tenantry would tend to counteract the influence which he might otherwise attempt to assume. Numbers, in this case, as in many others, was a security against corrupt intimidation. Besides which, it must not be forgotten, that if the landlord of these houses should pay the rates, the tenantry would no longer be eligible to vote, and that was the case in the majority of these minor weekly tenancies in large towns. The fact was, that the Amendment of the hon. and learned Member would tend to disfranchise the whole of the operative classes, who, in his opinion, were the most intelligent, and, consequently, that class who were most fit to become enfranchised. It was that class which he felt it to be most important to satisfy, because they were most numerous: and he should be sorry to adopt the Amendment of the hon. Member, as it would tend altogether to disfranchise them, and deprive them of that boon which it was his object to confer by the Bill at present before the House. He conceived that gave the requisite security to prevent great abuses, by enacting that twelvemonths tenancy must be previously required, and that the landlord who paid the rates of his tenants, thereby deprived them of their votes. He was determined to support the clause, and endeavour by all means to carry it.

Mr. *Cutlar Fergusson* thought the arguments of his hon. and learned friend had not been answered by the noble Lord. He saw no reason why the proposal of his hon. and learned friend, to exclude all those who did not pay their rents quarterly, should not be complied with. He had any wish rather than one to impede the Bill, but he felt it his duty to support this amendment, because he was anxious to select the respectable portion of the class which this clause proposed to benefit, and enfranchise them, to the exclusion of those who could not be so considered. He thought a person whose residence at one place was so precarious that he could not take his dwelling by the year, or who was so poor that a landlord would not give him credit for 2*l.* 10*s.*, the amount of a quarter's rent, could not be considered respectable according to the noble Lord's idea: nor were these the constituents who could be supposed to be independent, and incapable of corruption. The noble Lord argued, in support of the clause, that in many cases weekly payments were for the convenience of the landlord more than from any doubt of the solvency of the tenant. But when it was considered, that the former was generally an opulent person, comparatively, it was very futile to say it could be of any advantage to such a man to receive a few shillings a week instead of a considerable sum quarterly. If the Amendment were not adopted, there would be more dangerous combinations in elections, than the country had ever yet witnessed. Already they heard of clubs for the building and leasing houses for the sole purpose of letting them to weekly tenants for the creation of voters. He would entreat the Committee to look at the consequences of this plan. The entire constituency would be regulated by such clubs, and in every town returning Members, if the Bill remained as it at present stood, there would be juntas more corrupt, more unconstitutional, than any that had yet existed. This would be the consequence of allowing persons who lived from day to day, or from month to month, to have any concern with elections, which it should be the desire of every well-wisher to the institutions of the country to preserve free from abuse. Would any hon. Member stand up and say, that persons depending on their daily receipts for their current expenses would form a desirable constituency? The great object of the Bill ought to be, to extend the franchise, but, at the same time, to make the constituency independent. Who was there that could prefer a numerous to an upright constituency, if he had to make the selection? Whatever may have been said respecting the right of every Englishman to a participation in the elective franchise, in theory, yet, in practice, he must desire it to be limited to the independence of the holders. The objection of the greatest weight, and which had not been attempted to be answered, was, that it would be in the power of a landlord, on the day of election, to disfranchise his tenant. Were it for no other reason than this, he would oppose giving votes to weekly tenants, and in this course he trusted to be joined by all those hon. Members who did not wish to see the independence of the constituency utterly annihilated and destroyed. He was firmly of opinion, that the securities which the noble Lord fancied the clause provided for the prevention of bribery and corruption, would be utterly worthless, and that, unless they required quarterly instead of weekly payments, they could neither hope to control the influence of the landlord, on one hand, nor the desire to barter his vote on the part of the tenant, on the other. If a landlord would not trust his tenant to the extent of 2*l.* 10*s.*, and receive him as a quarterly, instead of a weekly tenant, such person could not be a desirable constituent. For all these reasons he would support the Amendment.

Mr. *Evans* said, he would oppose the Amendment. In the neighbourhood of the place he represented (Leicester), the class of persons referred to were respectable, and lived in comfort and independence.

Mr. *Hughes Hughes* would give his decided opposition to the Amendment. In Oxford there were 2,000 electors, of whom 1,000 were disfranchised by the Bill, as being non-residents, and these persons supported the Bill, under the impression that they would get a franchise by renting elsewhere a house of the value of 10*l.* The residents were also disposed to sacrifice their rights and those of their children from the same conviction. This Amendment would disappoint them in that expectation, and he should therefore decidedly oppose it. He had voted for the amendment of the noble Marquis (the Marquis of Chandos), for giving the franchise to tenants at will, because he would not consent to place so much power in the hands of the landlord, as would permit him, arbitrarily to withhold the franchise by not granting leases. And here also he objected to the Amendment, by making it necessary for the enjoyment of the franchise, that the landlord should regulate the periods at which rent was to be paid. The hon. and learned member for Stafford had remarked upon a notice of an amendment which he (Mr. Hughes Hughes) proposed to bring forward, to disable landlords from disfranchising their tenants on the eve of an election, by giving a week's notice; and had been pleased to say, that such an interference as the clause he proposed, between the two parties, was improper. But he would contend, that it was necessary for the protection of the tenant, and one for which the landlord received an equivalent, by the franchise being attached to his property, whereby its value was increased. His object was, to provide that a notice, under such circumstances, should not debar the tenant of his right.

Mr. *Pearse* said, he should support the Amendment, on the principle that it was desirable the Bill should be founded on something like property, and if the labouring classes, who rented tenements at 3*s*. or 4*s*. a week, were admitted to the franchise, the qualification of 10*l*. a year would be almost destroyed. As the clause now stood, its effect would be little short of Universal Suffrage.

Mr. *O'Connell* opposed the Amendment, which, he said, would disappoint the inhabitants of the manufacturing districts, where it would materially diminish the amount of the elective franchise. The hon. and learned Gentleman was mistaken in supposing that a landlord could turn out upon a week's notice those tenants who were yearly tenants, merely because they paid their rent weekly. The notice must be according to the tenure, and not according to the time of the payment of rent.

Sir *James Scarlett* said, that the hon. and learned member for Kerry, as a radical reformer, was quite consistent in opposing the Amendment; but as he (Sir James Scarlett) was not a radical reformer, never had been, and never would be a radical reformer, he was determined to support it. The hon. and learned Member was wrong in supposing, that a yearly tenant could not be ejected for not paying his rent weekly, according to agreement with his landlord. An agreement was paramount to law. The Amendment would leave the elective franchise in possession of independent operatives, and would prevent interested landlords from creating a class of voters who would be completely under their influence. If it were the object of the Bill to permit men to vote according to their judgment and consciences, the Committee should adopt the amendment. As the clause stood, the greater part of the 10*l*. voters would be the slaves of their landlords, and a worse system of corruption and dependency would be created than had ever yet existed. The evils of nomination boroughs, as they had hitherto been known, were nothing to the evils which would arise from the new system of nomination which the clause without amendment would lead to.

The *Attorney General* said, that his hon. and learned friend would obtain credit with the Committee for not being a radical reformer, for he (the Attorney General) was at a loss to discover that he was any reformer at all. His hon. and learned friend's argument would have come with better grace from one who had supported the Bill throughout. The question related to the admission of a numerous class to the elective franchise, than whom he believed none were more entitled to it, as there were none, whom it was more important to conciliate to the Government. [*cheers from the Opposition.*] Did that pointed cheer insinuate, that he spoke only of the popularity that might thus be earned by the present Government? [*repeated cheers.*] The insinuation, if intended, evinced neither justice nor candour, and such suspicion, received into young minds, augured ill for the part they might hereafter take in public affairs. He spoke not of the temporary favour of the people, but of their permanent contentment, which would enlist them on the side of the laws, by awarding them a just share in their enactment. He did not hope to convince his learned friend who proposed the Amendment, that his views were erroneous; on the contrary, he agreed there were objections to granting votes to those whose tenure of property was so insecure. Ministers, for this reason, had at first excluded weekly tenants: but when it was made clear that by so doing they must exclude the great mass of the artizans and manufacturers, it became them to revise that decision. Hundreds of thousands of his intelligent countrymen, who were in every respect fit to be intrusted with the franchise, would find themselves disappointed and deprived. His learned friend argued, that if numbers were to be added for the purpose of conferring independence, numbers ought also to be taken away, in order to effect the same object. But he appeared to forget, that the best security for the independence of individuals was to be found in a large constituency. It was an extreme case to suppose, that landlords would turn out by thousands the tenants on whom they depended for their incomes. He implored the Committee to consider the effect which would be produced upon the country by the adoption of the Amendment. Was it to be endured, when the elective franchise had been extended in counties to multitudes at least equally dependent on the will of another, that the working classes, kept independent by their own exertions, were to be intrusted with none? Such a proceeding would create the greatest possible distrust and dissatisfaction throughout the country. With regard to the period of notice, it would be very inconvenient to persons employed in manufactories, who might be under the necessity of removing from one place to another, or wishing to remove to better and more convenient premises, for the purpose of carrying on their business where there would be an increased chance of employment, that they should be limited to three months. Whenever election rights were talked of, a forced construction was immediately put upon the motives and passions of mankind; and it was supposed, that they were all called into some kind of diseased action: such remarks might be warranted by past experience, but he trusted, that in future, under a better Representative system, they would no longer be thought just; and it was to overlook the general interests of society to require this description of legislative exclusion. The hon. and learned Member observed, that clubs and large bodies would vote together. Why, then, the less would they be under the influence of the landlords; and in large districts, the latter would have less influence in returning Representatives. What would be the consequence of excluding this class from all share in the Representation? The House had, on former occasions, had opportunities of seeing the consequences arising from great bodies of men remaining strangers to the Constitution. Maddened by severe distress, which they ascribed to the want of proper Representation, they became the ready instrument for every factious demagogue who chose to disturb the peace of the country: unite them to the Constitution, and its enemies are converted into friends and defenders. Believing that the Amendment would exclude from the exercise of the elective franchise a most respectable, independent, and intelligent class—that their admission would give security to the State, and their exclusion must endanger it—he would give his decided support to the clause as it stood.

Sir *Robert Peel* said, if the persons to whom the hon. and learned Gentleman alluded, formed a class of most respectable, independent, and intelligent voters, how did it happen, that a bill had been laid upon the Table of the House, within six weeks from the time when the hon. and learned Member was speaking, to disfranchise the whole of them? At what period had it been discovered that they were a most respectable and intelligent class of voters? Government proposed to give them the right of voting by the original Bill; but after two months of mature deliberation, the Ministers became alarmed at the work of their own hands. They had created a power, endowed, like the Monster in the novel, with tremendous physical energies, and when they found that they could not subject those energies to the control of moderation and reason—then it was that they shrunk appalled from their own success, and tried to destroy what they could not command or regulate. They then came down with another bill, by which they attempted to establish a more discreet class of voters—namely, those who paid their rent half-yearly. The real reason of the re-introduction of the clause which gave the right of voting to the intelligent and respectable class described by the Attorney General was, that Government had excited hopes which they were afraid to disappoint. That was the reason, and the only reason which could justify the re-insertion of the clause, but Ministers shrank from acknowledging it. When the Government had once told the artisans of Birmingham and Manchester, that they should have the right of voting, and when the proposition had become the subject of discussion in the Political Unions, it was not to be wondered at that Ministers found it difficult to retract the original concession. But why did they not maturely consider their plan in the first instance? Why did they first propose to give the right of voting to hundreds of thousands of persons, as the Attorney General said, and six weeks after bring in a bill to take it away, and then once more propose it again? In his opinion, there was no class of voters more likely to be under the influence of their landlords, than that of tenants who were liable to be ejected at a week's notice. Manchester, Norwich, Birmingham, and other large towns would have a sufficiently large constituency without this extension of the franchise. Those tenants in towns were in a very different position from that of the agricultural tenant at will, who could retain his farm six months after notice to quit had been served upon him. It by no means followed that a constituency of 30,000 voters, ensured a freer or fairer Representation of a populous town, than a constituency of 3,000 or 4,000. Weekly tenants were to be found chiefly in the manufacturing towns, in which there existed already a numerous independent and respectable constituency, who would be overborne by the numbers of the class which the clause enfranchised. The introduction of that class into the constituency would deprive property and intelligence of their due influence, and, so far from improving, it would have the effect of degrading the Representation. The powers which were given to Assistant-barristers and to Overseers, and the system of annual registration projected by the Bill, would give rise to yearly electioneering contests; there would be no such thing as an election without a contest, and the contest would be renewed at every returning period of registration. The system which this clause would establish, would be an imitation of the elective franchise of the United States in its worst feature. The House had been told, that the Government was now, for the first time, to be carried on without patronage. For his part, he (Sir Robert Peel) thought it just and reasonable, that the Government should exercise some influence over those whom it employed. On that account, he had not voted on another night against the government of Ireland, for doing, in a very clumsy and undisguised way, that which other Governments before them had done with more discretion. Although he could not go the whole length of saying with the right hon. Secretary for Ireland, that preceding governments in Ireland had done the same thing to the same extent, yet he thought it natural and proper that they who were the immediate servants of the Government should support the Government. The House, by their vote the other night, had sanctioned, at least had positively refused to condemn, the exercise of such influence by the executive government. On what pretence, then, would it refuse to the possessor of property the exercise of a similar influence? The occupiers of houses paying a weekly rent, would be peculiarly subject to that influence. They were under the immediate control of their landlords, from the facility with which they could be dispossessed of their holdings under him. On all ordinary occasions they would be passive instruments in his hands, and in times of popular excitement, when ordinary considerations of interest were overborne by the clamour and fever of the moment, their whole weight would be thrown into the scale of vehement democracy. He could see no public advantage, either in the ordinary, or the extraordinary agency, of such a class of voters.

Mr. *Evelyn Denison* supported the Amendment. By the clause, as now worded, a party who paid rent by weekly instalments, though he paid neither poor-rates nor taxes, would have the same rights as another who paid all these, and he was of opinion the right ought to be limited to the payment of taxes. If the clause were carried as proposed by Ministers, it would lead to a new assessment all over the kingdom.

Lord *Villiers* supported the Amendment, because, in the manufacturing towns particularly, it would introduce voters who were neither intelligent nor independent.

An *Hon. Member* opposed the Amendment, the effect of which, he observed, would be, to disfranchise a large number of his constituents, who, though they paid rent weekly, were as independent as any who paid it quarterly.

Mr. *Croker* said, that the hon. and learned Gentleman (the Attorney General) had deprecated this Amendment as invidious and dangerous, and not to be endured; yet, on looking at the Scotch Reform Bill, it would be found, that this dangerous and invidious principle was preserved.

The *Attorney General* admitted, that it was so when the Bill was introduced, but, at that time, Government was not aware of the respectability and intelligence of that class which it would exclude from the franchise.

Mr. *Croker* said, that the Bill in which it was preserved was laid on the Table as late as the first day of July, which was a sufficient answer to the assertion of the hon. and learned Gentleman.

Mr. *Gillon* said, he had inquired into the probable effect of the clause in Scotland, and had ascertained, that it would produce no effect at all, as all the payments of rents were quarterly.

Mr. *Hunt* said, that those who were the sincere friends of Reform would support Ministers in this clause. Many of those who had supported Ministers the other night against this clause, did so, because they thought the rejection of it would injure the Bill. One effect of the Amendment would be, to disfranchise a large body of respectable individuals, not only in the manufacturing towns, but also in the metropolitan districts.

Mr. *John Campbell* hoped the House would support Ministers in the clause, as they had introduced it originally, and which refused the franchise to any but yearly tenants. His hon. and learned friend, the Attorney General, had said, they should by no means exclude so respectable a class as those who paid weekly rents; but he wondered why his hon. and learned friend stopped there, and did not recommend the custom as practised in the United States, for the same arguments applied to both. The principal reason for extending the franchise to weekly tenants was, as they were told, because many such persons lived in comfort. This was entirely a new test, and how could hon. Gentlemen say to what extent that might be carried. A man who lived under a hedge, with no covering but a blanket, might fancy that he enjoyed comfort. The noble Lord had said, that all who paid 10*l.* a year rent, ought to have the franchise; but those who paid at that rate by weekly payments, could not be considered as paying that amount. This was his objection, and the clause, as it stood, would create a temptation to speculators to build houses, in order to acquire political influence, and the occupiers could have no protection but the Vote by Ballot, which few hon. Gentlemen were prepared to support.

Lord *John Russell* said, that many who paid rent by monthly and quarterly payments, had their houses with an agreement to quit at a week's notice, so that, in fact, they would be as much in the power of the landlord as the weekly tenant.

Mr. *John Campbell* said, that the noble Lord would find, on inquiry, that no houses were let on such a tenure.

Mr. *Gisborne* could state, from his own knowledge, that it was a common practice in Lancashire to have houses let with a clause to quit at a week's notice. Landlords did so, because they did not know when they might have occasion to turn those houses into manufactories.

Mr. *John Campbell* said, that such letting could not be considered *bonâ fide* lettings by the year.

The Committee divided on the Amendment: Ayes 142; Noes 210—Majority 68.

House resumed. The Chairman reported progress—Committee to sit again next day.

CHURCH-BUILDING ACT AMENDMENT BILL.] Mr. John Weyland presented a Petition, praying, that a chapel in the parish of Huntington might be excepted from the operation of the Bill.

Mr. *John Wood* was happy to observe this Bill had excited attention. He remembered that the House divided seven times in one night upon the Act which this Bill was to amend, and as this Bill was introduced by the same parties as the former one, without at all knowing the objects or merits of it, he thought there was some reason to complain that it had passed the second reading, in the confusion caused by the great division a few nights since. He therefore desired some opportunity for considering its provisions in Committee, and he should use every means to throw it out.

Mr. *Hume* said, he was most unwilling to enlarge the powers of the Commissioners. The parish of St. Luke's, Middlesex, was now severely suffering from their acts, contrary to the united opinion of 2,000 Vestrymen, who protested against a third church being erected in the parish. The two at present existing were sufficient for the accommodation of the parishioners, yet the third church was built, and the unfortunate parish saddled with the expenses. He thought the Commission was a great evil, and had been a source of patronage and jobbing, instead of advantage to religion. He therefore hoped, that a full opportunity would be afforded for a thorough examination of the Bill.

Mr. *Hughes Hughes* begged to assure the House, that the Bill would materially abridge the power of the Commissioners, and was intended to afford individuals facilities to erect churches by their own means. As he had moved the previous stages of the Bill, he requested the hon. and learned member for Preston to believe, that he was not aware of his intention to oppose its principles. He should now, however, leave it to Government, but he requested Gentlemen to read it, and he felt assured of their support.

Petition to be printed.

HOUSE OF LORDS,

Friday, August 26, 1831.

MINUTES.] Bills. Brought up from the House of Commons, and read a first time; the Duchess of Kent's Annuity Bill, Committed; the Burning Lands (Ireland.)

Petitions presented. By a NOBLE LORD, from Magistrates assembled at Quarter Sessions in Louth, for the county of Lincoln, for the partial Repeal of the Beer Act.

PORTUGAL.] The Earl of *Aberdeen* said, he understood that his Majesty's Government had announced their intention of communicating to the other House of Parliament information respecting the transactions which had taken place in the Tagus, and he wished to know whether Ministers were prepared to lay the same information on the Table of their Lordships' House.

Earl *Grey* said, that there would be no objection on the part of Government to lay before their Lordships the same information as would be communicated to the House of Commons.

HOUSE OF COMMONS,

Friday, August 26, 1831.

MINUTES.] Bill brought in by Mr. WYSE, to repeal the Galway Franchise Bill.

Returns ordered. On the Motion of Mr. SPRING RICE, of the Names of Parishes in Ireland in which agreements prevail under the Tithe Composition Act; and for an account of all the Excise prosecutions in Great Britain and Ireland for the last fourteen years for the recovery of Duties upon Paper.

Petitions presented. By Sir W. GUISE, from the Inhabitants of Dursley, against the Bill for amending the Law of Settlement. By Mr. SINCLAIR, from the Freeholders, Justices, Commissioners of Supply, and others of the county of Caithness, against the use of Molasses in Distilleries and Breweries. By Mr. SPRING RICE, from the Chamber of Commerce, Dublin, to prevent the Court of Conscience from interfering with the Coal Meters' Fees.

DUBLIN ELECTION.] Mr. *Crampton* rose to present a Petition which, he said, referred to a subject which was connected with the privileges of the House. The petition was signed by Mr. Serjeant O'Loghlin, Mr. Perrin, and other respectable inhabitants of Dublin, on the accuracy of whose statements he could place perfect reliance. The petitioners complained that the conduct of the Sheriff and his deputies, at the pending election for the city of Dublin, had been grossly partial to the Corporation candidates, Lord Ingestrie and Mr. Shaw; and that they had violated the Act of Parliament which regulated the establishment of polling booths for the voters, by which means great disorder and confusion had been created, and the voters for the liberal candidates prevented from polling. Four out of the five deputies, appointed by the Sheriff, were members of the Corporation. The hon. and learned Gentleman was proceeding to read some further statements from the petition, when

Mr. *C. W. Wynn* interrupted the hon. and learned Gentleman in these details, observing, that the complaints of the petitioners were matters which might, and would, in all probability, be made the subject of an election petition; and, if the petition were now received, the merits of that election petition would be prejudged.

Mr. *James Grattan* thought the petition was one which might, with propriety, be received.

The *Speaker* said, that every Member knew, that it was not possible to present an election petition until the return was lodged in the Crown Office; and after that, the House could not entertain it, the jurisdiction of the House being deputed to a Select Committee, according to Act of Parliament. The question was, whether this petition involved matter which could alone be tried by an election Committee, as in that case it could not be entertained by the House, whether an election petition were hereafter presented or not. He had only waited in hopes the hon. and learned Member would read the prayer of the petition, as, if it prayed for a remedy for the grievance of which it complained, it was clear the House could afford no such remedy, and the only effect of receiving the petition would be, to prejudge a matter which did not belong to the House.

Mr. *Crampton* said, that the prayer of the petition was, that the House would institute an inquiry into the conduct of the Sheriffs and their deputies; and also that it would provide, by the bill now pending, that Sheriffs appointed by Corporations should not act as returning officers in the cities or towns where those Corporations exist. If the latter part of the prayer did not, in the judgment of the right hon. Gentleman in the Chair, take the petition out of the rule which he had laid down, he (Mr. Crampton) could only withdraw the petition.

Mr. *Hume* was of opinion, that the second or general part of the prayer took the petition out of the rule which applied to election petitions.

The *Speaker* observed, that the general prayer was founded on the allegations contained in the petition, and could not be separated from them.

Mr. Crampton withdrew the petition.

Mr. *Lefroy* wished to know from the Solicitor General for Ireland, whether, in the statement which he made on a former evening, he meant to deny on the part of Sir William Gossett, that that gentleman had accompanied Mr. Latouche in his canvass?

Mr. *Crampton* said, that Sir William Gossett had authorised him to deny the charge made by the hon. and learned Member, that he had canvassed for Mr. Latouche. If the hon. and learned Member desired it, he had no doubt he could procure as explicit a denial of the allegation, that Sir William Gossett had accompanied Mr. Latouche in his canvass, which, after all, was but a repetition of the former charge.

YEOMANRY OF IRELAND.] Mr. *Lambert* rose to present two Petitions from the Protestant and Catholic Inhabitants of New Ross, in the county of Wexford, praying the House to adopt measures for disarming and disbanding the Irish Yeomanry. The hon. Member said, that from the inquiries he had made relative to the unfortunate affair at Newtownbarry, he was of opinion, that it was a wanton, unprovoked, and, he had much reason to fear, a deliberate, premeditated massacre. He did not use these words without a perfect understanding of their import. He did not believe, that there was any country in the world in which the Government was not strong enough to bring the perpetrators of such an outrage to justice. He would shortly advert to a memorial which had been addressed by certain gentlemen of the county of Wexford to the Government on this subject. That memorial had been described as hostile to the Government—as breathing a factious spirit—and as having been got up under the direction of the hon. and learned member for Kerry. He denied, that its spirit was hostile; he denied, that it was in any respect factious. What, he asked, was faction? It was the uniting together of a number of discontented men to carry some unworthy purpose. Those who agreed to that memorial had no such object in view. They were men who had nothing to ask from the Government, nothing to demand for themselves, but much to demand on the part of Ireland. The remonstrance to Government was, he maintained, made in the most temperate and respectful manner. The persons who had signed it were not likely to hold out a threat; and the noble Lord at the head of the Government of Ireland, was the last person, he believed, who would suffer himself to be intimidated by a threat. They only declared those sentiments which they were in the habit of uttering every day. The memorial was handed round, and those to whom it was offered were asked to sign it, with an intimation that it would be presented to the Government. It was presented; and by whom? Why, by Lord Duncannon, who was not a very likely person to be the bearer of a factious and hostile document. But it was asserted, that the memorial had been got up under the direction of the hon. and learned member for Kerry. Now, if the former charge were without foundation, this was even more so. He (Mr. Lambert) was the person who brought it to the hon. and learned member for Kerry; and, however he might approve of some of the proceedings of that hon. and learned Gentleman, he was too independent in his principles to be swayed by him contrary to his own sense of what was right. He had, on some points, disagreed with that hon. and learned Member, in places more stormy than that in which he now spoke, and he had also agreed with him on others, and hoped that he should often do so again. When he considered the benefits which the hon. and learned Member's exertions had procured for Ireland, he could not help looking forward with hope that he would yet effect more, and that he would be greatly instrumental in restoring peace and tranquillity to that country. He confessed, that it gave him deep pain when he heard personal attacks made on that hon. and learned Gentleman. It was not for him to say upon which side was the balance of discourteous expressions, but he would say, that the hon. and learned Gentleman's services would last in the grateful recollection of his countrymen, whilst the services of others would be forgotten, or only remembered to be despised. Putting aside all personal motives and party-feelings, he must say, if there ever was a time when the regeneration of Ireland could be achieved, the present was such a time, and they would incur a fearful responsibility who neglected to profit by the present opportunity.

The Petition was brought up.

Mr. *Maxwell* said, he was obliged to the hon. Gentleman for giving him an opportunity to defend the Magistrates and the Yeomanry of the county of Wexford. The hon. Member had commented with great severity on the conduct of the Yeomanry of that county; and on this point he differed from the hon. Member as much as one man could possibly differ from another. He held in his hand a statement, signed by forty noblemen, gentlemen, magistrates, and other highly respectable persons, and they held the same opinion with respect to the Yeomanry corps which he entertained. They said, "We, the undersigned noblemen and gentlemen of the county, having seen resolutions published in the *Wexford Independent*, purporting to proceed from a 'great county meeting' held in Wexford, on the 30th of July last, feel ourselves bound to express our dissent from resolutions so published, and particularly wish to avow publicly our conviction, that the maintenance of the Yeomanry force is essentially necessary to the preservation of the public peace—'to quell insurrection,' and the other purposes for which that force was originally levied." In his opinion, if they gave up the Yeomanry corps of Ireland, the most disastrous consequences would follow. Such a step would, he believed, end in the separation of the two countries. He now wished to advert to the statement which had been made some time since by the hon. member for Wexford, relative to the Newtownbarry affair. He had written there immediately after that statement had been made, and he had collected such materials as would afford him an opportunity of refuting it. He meant not to say, that the hon. Member, in making that statement, intended to mislead the House; but he was sure that those from whom he had received his information had misled him. The hon. Member had stated, that, at Newtownbarry, two persons had been coolly singled out by the Yeomanry, and shot. He had likewise said, that while the country people were at chapel, offering up prayers for the souls of the deceased who fell in that affray, some of the Yeomanry fired shots over the house of God, to terrify those who were engaged in this pious duty. And he had asked, "if such things had happened in England, would it not have excited the indignation of the people?" No doubt they would have been indignant, had such an occurrence taken place; but no such circumstance had happened at Newtownbarry. In consequence of that speech of the hon. member for Wexford, he had sent to Newtownbarry to have the facts inquired into, And here he gave notice, that he would to-morrow move for a copy of the document which had been transmitted to Government, in consequence of their having sent a special agent to the spot to investigate the affair. But what was the result of the inquiry which he had himself caused to be made? Why, he held in his hand the affidavits of eleven most respectable persons, with every one of whom he was intimately acquainted for years, and they declared, that they were close to the chapel of Newtownbarry during the time in which the priest was employed in celebrating mass for the repose of the souls of the departed—that no shots were fired—and that they were so near, that if any shots had been fired they must have heard them. He would not quote all the affidavits, but content himself with refering to one made by a gentleman who was a perfectly impartial witness. Lieutenant J. S. Schonswar, of the Dragoon Guards, deposed, that there was a large meeting at the chapel, attending the service for the repose of the souls of those who were slain on the 18th of June last; that he was so situated that he must have heard shots if any had been fired; but that he had heard no shots fired. These affidavits were signed by most respectable persons, and therefore he came to the conclusion, that the hon. Member had been misinformed, and that no such occurrence as he had described took place at Newtownbarry. It was a singular fact, that, until the report of the hon. Member's speech reached Newtownbarry, no person in that place, and this he could positively state, heard of this supposed occurrence. No such report had been previously spread as to shots having been fired over the chapel. The hon. Member had asserted, that two persons were selected by the Yeomanry and shot. Let the hon. Member inform him of their names, or give him some clue that could lead to a knowledge of them, and he doubted not, that he would be able to give as direct and as satisfactory a contradiction to that part of the statement as he trusted he had done to the other. The hon. Member then gave notice, that he would to-morrow move an Address for the production of the Report made by Brigade Major Bush to the Irish Government, after an investigation, by the direction of his Excellency the Lord Lieutenant, of the charge made against the military, of firing shots over the chapel at Newtownbarry during the performance of Divine service.

Mr. *O'Connell* said, he was obliged to commence his observations on the slaughter committed at Newtownbarry, in the same manner, he was sorry to observe, that he had been compelled to adopt upon former occasions when that subject had been brought before the House. Here were seventeen individuals sacrificed—in all forty persons killed and wounded —and yet not one solitary expression of regret was uttered for that horrible and most unnecessary waste of human life. It seemed to be treated as nothing but an ordinary occurrence, a mere every-day matter, and therefore unworthy of particular notice. Gentlemen talked of every thing, they spoke of every thing, but not one particle of pity was shown for the agonized feelings of the surviving relatives of the slain. This was the fifth time that the subject was introduced, and still no touch of compassion was manifested for those unfortunate persons. What was more, he would ask, had any effort been made to visit the perpetrators of this cruel deed with retributive justice? No, no; the parties remained in triumph, and the hon. member for Cavan came down with his exculpatory document, signed by nobility and gentry. There never was so false, so atrocious a document as that to which the hon. Member had first referred. In that document they were told, that the Yeomanry were necessary to preserve the peace. Why, at that time, Wexford was the most peaceable county in Ireland. To preserve the peace! There was not a single instance of breaking the peace, until the occurrence of the Newtownbarry affair. O nobility! O gentry! you assert a falsehood, when you say that the peace of that county, or of the country, requires the aid of such a force. Secondly, it was stated in this document, that the Yeomanry were necessary to keep down insurrection. Where was there a particle of insurrectionary spirit to be seen? Who thought, who dreamt, of insurrection? No one but those noblemen and gentlemen. Here were those men, after this slaughter, this massacre, coming forward and charging the people with a tendency to commit a breach of the peace, and with harbouring feelings that pointed to insurrection. Where was the breach of the peace? Where was the tendency to insurrection. If neither took place—if neither were to be traced any where—what, then, became of the hon. Member's highly respectable certificate? But who, he would ask, were on the Grand Jury? The friends and relatives of those whose conduct he reprobated, who made false charges, and who, when human blood was shed—when men, women and children were slaughtered—remembering that they were the friends and relatives of the parties inculpated, would not find a Bill against them even for manslaughter. Where were the people, in such a state of things, to look for justice? Where were they to seek redress? Where could they hope to find protection? If they wanted not to drive the people of Ireland to madness—to despair—let them immediately wrest the arms from the hands of the low Protestants. Could the hon. member for Cavan deny, that he had designated them correctly? Could he say, that they were not low Protestants? He would call emphatically on the Legislature to free Ireland from the scourge of the Yeomanry—to free her from a proud aristocracy, who unnecessarily, by the agency of an infuriated Yeomanry, shed the blood of innocent people. What had occurred, not long since, in the north of Ireland? Here was another specimen of the equal justice which was distributed in Ireland. Two parties consisting of Orangemen and Catholics, had a rencontre; the Magistrates interfered, and the Catholics threw down their arms and fled: in their flight these unarmed individuals were fired at; and he had yet to learn whether any of those who had thus assailed them had been brought to punishment.

Mr. *George Dawson* said, the hon. and learned Gentleman was partly correct and partly incorrect in his statement. He was present on that occasion, and the Magistrates wished to act impartially between both parties: but one of those parties was too strong for them.

Mr. *O'Connell* continued. The Catholics stated, and the fact was not denied, that they were fired at when they were running away. Four times had he mentioned the Maghera case in that House, but no mention was made of it—it did not go out to the public at all. He supposed, that it did not suit the purpose of those who were employed on these occasions. On the 17th of December the Orangemen made a complete wreck of the habitations of the Roman Catholics, destroyed their furniture, assaulted the men violently, and even beat the women. With respect to the charge of firing over the chapel while a solemn service was in the course of being solemnized, the hon. Member had brought forward the affidavits of eleven persons in contradiction to that fact. Now he should be glad to know, whether only one religious ceremony was performed for the repose of the souls of seventeen slaughtered persons? Besides the high mass, would there not be a solemn service for every one of them? The hon. Member's eleven witnesses seemed to think that one service only was performed; and it certainly was a very extraordinary circumstance, to find eleven Protestant gentlemen walking close to the chapel, at the identical time when no shots were fired. It was a very marvellous coincidence, indeed; He attributed the whole of the frightful party feelings which agitated Ireland to the Orange magistracy. Why, he demanded, did the Government permit those parties to continue in the commission of the peace? Why should Government fear them? Why should Government, in opposition to the great body of the people, protect, uphold, and support them? Let them but strike three or four of these Magistrates out of the commission, and the remainder would become perfectly calm and quiescent. The Government had said a great deal, the Government doubtless, intended a great deal, with respect to the welfare of Ireland, but still things went on precisely in the same old and objectionable way. Let them refrain from sending forth their instructions and their letters missive; let them, instead of taking that course, dismiss three or four of these exotics—these Orange Magistrates—from the commission, and they might depend upon it that the remainder would be perfectly tame. What was the consequence of keeping up this Yeomanry force, which Government seemed afraid to disband? Why the Ribandmen were again organizing. He understood, that 8,000 of them had assembled together very lately, and of these 200 were armed with muskets. This was an appalling state of things. Would men thus situated calmly suffer themselves to be slaughtered? He feared not. If they did not show their resentment in the day, they would at night. The wild justice of barbaric revenge, if not called into operation in the light of day would perhaps be fatally busy in the dark. The Ministers had not acted with that just spirit which the people expected, and which they demanded. They had, in fact, alienated the people from them, and given their support to a faction, who hated them even worse than they hated those whom they wished upon all occasions to oppress.

Mr. *Stanley* lamented, that the hon. and learned Gentleman had, in the course of his speech, entered into the discussion of every subject that could create party feeling, and keep alive that spirit of irritation which every thinking man must wish to see extinguished. It was a most unjustifiable speech; and it was the more unjustifiable, and the more uncalled for, when they considered the calm and proper manner in which the hon. member for Wexford had introduced the petition. The speech of the hon. and learned Gentleman formed an extraordinary contrast with the temper and moderation with which the hon. member for Wexford had conducted himself—a gentleman, it should be observed, who was connected with the county, and who, therefore, in speaking on this subject, might fairly and justly be excused, if his feelings had been excited, and his passions exasperated. He, however, with singular propriety, had abstained from the use of a single violent or offensive expression. The hon. and learned Gentleman declared, that his great object was to secure the peace and tranquillity of Ireland; but most assuredly nothing in the world could be conceived more directly opposed to that object than the violence and vituperation in which the hon. and learned Gentleman indulged in that House. The hon. and learned Member certainly had no right to attack others, on account of what fell from them, because no man within those walls indulged so much in strong language, and in the display of overstrained feeling, as the hon. and learned Member did himself. Could the hon. and learned Member imagine, that those who were in any way connected with Ireland, whether in the government of that country or not, could look with anything but unmixed horror and grief at the unfortunate occurrence of Newtownbarry? If, as the hon. member for Wexford had said, it was most desirable to forget the past, to cast it into oblivion, and to look forward with cheerful hope to the future, unquestionably the mode which the hon. and learned Gentleman took to second and secure that all-important object, was the most extraordinary that could be imagined. In consequence of what had occurred on a former occasion, he had this day brought down an official document, which the hon. Member had given notice of his intention of moving for to-morrow. That document related to the inquiry which had been instituted by the Irish Government, with respect to the charge which had been made against the Wexford Yeomanry—that of having insulted the people at the chapel of Newtownbarry, by firing over that chapel while a solemn service was performing for the repose of the souls of the slain. Without further preface he would read the communication to which he alluded. It was dated Newtownbarry, August 17th, and was addressed by Brigade-Major Bushe, who had been directed to inquire into the circumstances, to Sir William Gossett. The right hon. Gentleman proceeded to read the report as follows:

Newtownbarry, 17th August, 1831.

Sir,—On receipt of your letter of the 15th instant, I immediately set out for this place, for the purpose of procuring the information you called for; and am able to state, that after having made the most minute inquiry, I find the representations made to Government, of the Newtownbarry Yeomanry, to be totally untrue, and without the slightest foundation. On my arrival here, my first inquiry was of some wealthy farmers, and of the lower class of country people and town inhabitants, all of whom declared they never saw anything more quiet and well conducted than the conduct of all parties on the day of the celebration of mass, and that a Yeoman had not appeared as such since the affray. My next inquiry was of the most respectable and distinguished persons of the town and county—namely, Major Irvine, Major Devereux, Mr. Ralph, and others, all of whom declared, that they heard of no offence having been offered, or saw or heard of the disturbance or disorder on the day alluded to; and the Yeomanry did not appear as such on that or any other day since the affray. They heard no shots, nor heard of any shots having been fired, except one, said to have been fired by Lord Farnham's Gamekeeper, in his Lordship's demesne. My next inquiry was of the cavalry and infantry officers who were in the town at the time, and who fully corroborated the foregoing statements. My last and conclusive inquiry was, of the Rev. Mr. Walsh, the priest of the town, who celebrated mass upon the day alluded to, and who stated to me, that, on the morning of that day, it had been (as since appears) falsely reported, that it was the intention of the Military and Yeomanry to parade the streets that day, to the great annoyance and disturbance of the friends and relatives of those who had fallen; that, upon receiving this report, he communicated the same to Major Campbell, the commanding officer, who immediately called upon the Rev. Mr. Walsh, and assured him, that there had not been the most remote intention, on the part of the Military or Yeomanry, to offer the slightest interruption or offence; and that, lest the appearance of the Military might have that effect, he had, before he received Mr. Walsh's communication, withdrawn the troops into Lord Farnham's demesne, where they should remain until the people left town. Mr. Walsh told Major Campbell, that a shot was heard in the direction of the troops. Major Campbell said, he heard the shot, and that it was at a considerable distance, in Lord Farnham's demesne, and that he did not know who fired it. Mr. Walsh stated to me, that, some time after his interview with Major Campbell, he heard that the shot was fired by a Yeoman, and afterwards heard that it was fired by Lord Farnham's Gamekeeper. Mr. Walsh also stated to me, that, at the funeral of one of the persons who had fallen at Newtownbarry, a shot was fired at a distance, at the opposite side of the river from whence the funeral proceeded, and which was said to have been fired at or near the house of a Yeoman who lived in that direction. This was all (he said) he knew of the subject alluded to, and upon which I required information; and, upon the whole, disclaimed any knowledge of any disturbance having taken place, or the slightest interruption or offence having been offered by the Yeomanry on that day, or any other day, since the affray. Considering the Rev. Mr. Walsh's statement quite conclusive, I do not think it necessary to trouble you with the detail of any further inquiries which I might make, and which could only be a repetition of those circumstances already stated.

He had thus (the right hon. Gentleman continued) from an official document, contradicted the assertions which had originally been made relative to the conduct of the Yeomanry. And that contradiction, so full and clear in all its particulars, ought to show Gentlemen the necessity of making the most accurate inquiries upon subjects of this nature, before they ventured to make statements which were calculated to produce the most injurious consequences to the parties who happened to be implicated. His hon. friend, the member for Wexford, knew very well, that Government wished to place the Yeomanry force of Ireland on a less objectionable footing than it at present was in different parts of that country; and he must also know equally well the difficulties which stood in the way of such an arrangement. Government, he would fairly state, was not ready, on account of the fault of a few individuals, to pass a sweeping censure on so large, and, in many instances, so respectable a body of men. But, let a single instance be clearly brought before Government, in which it should appear that any corps of Yeomanry had exceeded its legitimate duty, and he would assert, that on the instant, Lord Anglesey would take the most prompt and effectual steps to correct or punish the abuse. He was extremely sorry, that such an occurrence should have happened in the county of Wexford, as it certainly laid the yeomanry there open to considerable objection. But that circumstance did not form a sufficient reason for disbanding a very large body of men, which could not be done unless general misconduct and utter want of discipline could be proved against the Yeomanry. With respect to the Yeomanry of Newtownbarry, he had stated over and over again, that the Lord Lieutenant would not adopt any step with reference to them, until the proceedings at present pending were brought to an end. When those proceedings were finished, such a course would be adopted as the Government might conceive that the case demanded; and he would then be ready to justify any steps which the Irish Government might deem it proper to adopt. The Lord Lieutenant had felt that the calling out of the Yeomanry at Newtownbarry by the Magistrates was wrong. That opinion had been communicated to them. Two of the Magistrates had, in consequence, sent in their resignations, and those resignations had been accepted. Further than this the Lord Lieutenant was not disposed to go. He must in conclusion say, that he hoped the House would not suffer itself to be drawn into a discussion of all the topics touched on by the hon. and learned member for Kerry, and, above all, would not discuss them with the same spirit in which that hon. and learned Member had delivered his speech.

Mr. *George Dawson* had heard with the greatest satisfaction and pleasure the speech of the right hon. Gentleman, and he knew, that that speech would be received in Ireland with a pleasure and satisfaction equal to his own. He had just returned from Ireland, and had witnessed the effect of the excitement occasioned by the unmerited aspersions cast, in that House, and particularly by the hon. and learned member for Kerry, upon that most useful, most constitutional, and most patriotic body, the Yeomanry of Ireland. He fully acquitted his Majesty's Government of participating or taking any part in an endeavour to degrade that most respectable body, and he was happy to find, from the speech of the right hon. Secretary, that he was also of opinion that they had done nothing which deserved degradation. He felt the greatest indignation, which he believed would be shared by a large proportion of the people of Ireland, at the extraordinary speeches and statements made by the hon. and learned member for Kerry—a feeling which had shown itself throughout the country. The honourable and learned Member and his friends had adopted every means in their power to put down his Majesty's Government, for the purpose of effecting their own objects. He had heard the present speech of the hon. and learned member for Kerry with indignation, and the same feeling would be excited in Ireland when it should reach that country [*" hear, hear!" from Mr. O'Connell*]. He heard the significant cheer of the hon. and learned Member; but he neither regarded the cheer of the hon. and learned Member, nor did he fear the attacks which that hon. and learned Member might make upon him. He would assert, that a vast proportion of the wealth, the respectability, and the intelligence of Ireland would join in resisting any attack that might be made upon the Protestant institutions, or on the character of the Yeomanry of Ireland. The speech of the hon. and learned Member, as far as related to the affair at Newtownbarry, had met a complete refutation from the speech of the right hon. Gentleman opposite; and, as he had no connexion with the county of Wexford, he was not called upon to enter into that question. He must, however, say, that when he heard of what were called the atrocities of the Yeomanry in that county, notwithstanding the respectable authority from which those statements came, that he did not believe them. He thought, that the hon. Member opposite who made those statements in the first instance, was completely deceived; and was happy to find his opinion confirmed by the decided refutation given to those statements by the most competent authority. His disbelief, in the first instance, did not arise from any information he possessed, but from the suspicion with which he listened to any story of this kind coming from one side or the other. When anything of this nature occurred in Ireland, the statements concerning it were always so much exaggerated, that there was a very great difficulty, nay, very often an impossibility, in ascertaining the real facts, even when both sides had stated their case, and those who decided after hearing only one side, would certainly form an incorrect judgment. He should be very much deceived if the House were not satisfied of the truth of this observation, when it should be in possession of the report on the Newtownbarry affair, and if that should turn out to be what the hon. and learned Member had termed it—"a deliberate massacre." As the report, however, would shortly be laid before Parliament, he agreed with the right hon. Gentleman, that it would be only fair and right for the House to suspend its opinion on that particular transaction. He would say a word on the cabal, as he must call it, which had been formed of Members of that House, to beard the Government, and force it to enter into their views with respect to disbanding the Irish Yeomanry. He alluded to those Members who thought it necessary to wait on the noble Earl at the head of the Government, on this subject. When he was in Ireland he read the account of this transaction with the greatest surprise. It was nonsense to talk of living under a Constitution—of having a mixed Government with the King at the head of the executive, and two Houses of Parliament to check and control each other, if a set of men chose to arrogate to themselves the character of the Members for Ireland, though they represented only a small portion of the wealth, the intelligence, or the respectability, of that country; and, having formed themselves into a cabal, forced themselves in a body to the chamber of the chief Minister of the country, to dictate to him the measure he should pursue, and to beard and overawe the Government.

Mr. *Grattan* rose to order. If the right hon. Member meant to attribute to him that he was the member of a cabal, it was false [*cries of* "*Order*"].

The *Speaker* having called the hon. Member to order; said the expressions he had used were most disorderly in calling another hon. Member to order.

Mr. *George Dawson* said, that the mode of calling to order adopted by the hon. Member, was the most extraordinary he had ever known. It showed the way in which the business of that House was sometimes conducted. He had made no allusion whatever to the hon. Member: he had said that a cabal had been formed to beard his Majesty's Ministers, when the hon. Member got up, and avowed himself a member of the body he had so described. He thought it most extraordinary in the hon. Member to interrupt him in the course of observations which, as a Member of that House, he thought it his duty to address to their consideration; the language the hon. Member had used on the occasion, was not according to the usage of Parliament—it was not a parliamentary phrase, nor such as would be used in private society. He would, notwithstanding, say that those Gentlemen who had gone to Earl Grey, appeared to be actuated by a desire to intimidate his Majesty's Ministers. The answer which they received from the noble Earl at the head of the Government, must have been felt as a strong reproof. He (Mr. George Dawson) might have been mistaken in what he said—there might have been no cabal—but the matter he alluded to had very much the appearance of being a cabal, and he had a right to express his opinion. He would now, in the most friendly manner,—yes, in the most friendly manner towards the right hon.

Gentleman opposite—beg him not to encourage the idea that the Yeomanry were to be disbanded. Such a measure would excite the indignation of the whole of the people in the north of Ireland. He would express in the most intelligible language his conviction, that nothing was wanted to induce them to join the bands of the hon. and learned member for Kerry, in demanding a Repeal of the Union but such a measure. He knew, that such was the object which that hon. and learned Gentleman had really at heart. In the pursuit of that object, he had vainly appealed to the people of the north of Ireland; they did not trust him; but if the Ministers should come to the unwise determination of disarming the Yeomanry, they would excite a feeling which would induce these men to throw themselves, for this purpose, into the arms of their enemy. It was easy to say "disarm the Yeomanry;" but that would be no sooner done, than the Protestants would arm themselves at their own expense. He had heard from hundreds, that the disarming of the Yeomanry would be the signal for the men to arm themselves, which they would find no great difficulty in accomplishing: the arms and accoutrements of each man might be purchased for 25*s*., and if the Government wished to precipitate the two parties into immediate collision, they would disarm the Yeomanry, and thus hold out encouragement to the individual arming of the Protestants. That would most assuredly be the case in the north of Ireland. There was no part of Ireland, nor, indeed, of the British dominions, at present more loyal than the north of Ireland, which the hon. and learned member for Kerry, called the focus of Orangeism. In confirmation of this fact he might quote the charge of Mr. Justice Jebb, to the Grand Jury of Derry, which might safely be taken as a just description of all the northern counties. The charge was very short, and he would read it. "Gentlemen of the Grand Jury—It is highly gratifying for a Judge to meet so large an assemblage of gentlemen, composing the rank and respectability of this truly happy and prosperous county, to witness and partake with him, the pleasure which such a happy prospect must afford. The present calendar is unexampled in lightness, not merely in the annals of this county, but will bear a comparison with that of any county in the empire. From the long experience I have had in travelling this circuit, I am able to say, that your county yields not to any in Ireland for peacefulness and respect to the laws; and this is to be attributed to you, gentlemen, who are most deeply interested in the peace, happiness, and prosperity of the country. It would be needless in me to dwell on this subject, but it affords a cheering contrast to other parts of the kingdom, from which I have just returned, where I also found the gentry rally round me, to support the laws, and endeavour to promote a restoration of the public peace; yet these gentlemen have been exposed to hazard, not only in their property, but even in their persons, in some cases, in discharge of their duty. I trust you will never be called upon under similar circumstances, and, indeed, I am sure you never will." He would then advert to the speech which Mr. O'Connell had attributed to him, as having been uttered by him on a former occasion, and said, that both Orangemen and Catholics, had on the occasion alluded to, been armed, and had come armed to the battle, and that a loss of life had been the consequence; but that had nothing to do with the conduct of the Yeomanry, for on that occasion the contest was between the Catholics and the Orangemen, and the Yeomanry, as Yeomanry, took no part in the affray. Both Catholics and Orangemen had been afterwards tried and convicted for the offence, and both had been imprisoned, and, after some time, not one only, but both, had been released from confinement, before the regular term of their imprisonment had expired. That, he hoped, was a sufficient refutation of the statement made by the hon. and learned Member. He was sure, that almost every Member from the north of Ireland would agree with him, and would be ready to get up in his place to defend the Yeomanry against the aspersions cast on them by the hon. and learned member for Kerry, and Gentlemen at his side of the House, who ought to pause before they made unfounded statements, and inflicted such wounds upon the feelings of this body of men. He hoped the Government entertained no notion of acceding to the demands for the disbanding the Yeomanry. That force was as loyal as it was constitutional. It had rendered great services in preserving the peace and tranquillity of the country in the worst times, and he hoped that it would not be disbanded upon the suggestion of interested persons.

Mr. *James Grattan* felt that some explanation was necessary. The right hon. Gentleman (Mr. Dawson) was at perfect liberty to lecture the Government, which perhaps did not want his advice, yet he did not conceive, that he had any right to make observations, in the terms which he had used, on a body of Gentlemen as independent as any in that House, who thought it their duty to wait on the noble Lord at the head of the Government, on a subject, as they conceived, intimately connected with the preservation of the peace and tranquillity of Ireland. The right hon. Gentleman described that independent body of Gentlemen as a cabal, going to Lord Grey's house for the purpose of bearding and intimidating the Government. He was certainly one of the body who waited on Lord Grey; but he had no such object as the right hon. Gentleman imputed to him, and thought it necessary to give the statement an unqualified contradiction. If such an object was attributed to him, he repeated, that it was an utter falsehood.

The *Speaker* had great hopes the hon. Member rose for the purpose of retracting the offensive expression he had previously used, and not of repeating it. From the explanation which the hon. Gentleman had previously given, it was quite clear, that he had not intended to use the term "false" in an offensive sense; but it would have been as well if he had stopped at the explanation.

Mr. *James Grattan* said, his only object was to refute the calumny thrown out against him and the other Irish Members who had waited on Lord Grey. He believed the pacification of Ireland could only be effected by the gradual reduction of the Yeomanry in those parts of the country where collisions had taken place between the Yeomanry force and the people; and, entertaining this opinion very strongly, he and other Irish Members waited on the head of the Government to communicate their sentiments on this subject, and to avoid hostile discussions in that House. He was as well aware as any man that the Irish Yeomanry contained many respectable individuals, and that it was a constitutional force; but it was not properly organized. It consisted chiefly of Protestants, and its members were imbued with strong religious feelings, and were not subject to proper military discipline. He had heard nothing which induced him to change the opinion he had formed, that the transaction at Newtownbarry was a most wanton murder, and that a well-disciplined military force would be advantageously substituted on every occasion where the civil power was not sufficient.

Mr. *James E. Gordon* would have complied with the recommendation of the right hon. Secretary for Ireland, but for the intemperate and exaggerated statements of the hon. member for Wexford. The affair at Newtownbarry was by him designated as "a most unprovoked and deliberate massacre," which he considered a most exaggerated and unfounded statement. He would not go through the history of that transaction, but he never could patiently hear it called "a massacre." The hon. member for Kerry had talked of some Yeomen having fired over a Catholic chapel, but the fact was never proved; on the contrary, it was denied; and yet no retraction of the charge had been offered by that hon. Member.

Mr. *O'Connell:* I will not permit myself to be thus alluded to, in adding to a great misinterpretation of what I did state.

Mr. *James E. Gordon:* The hon. Member had burst out into a fit of great indignation, because the House, as he said, evinced no sympathy, or put on no mourning, for the sufferers at Newtownbarry; but that hon. Member himself exhibited no feelings of sympathy for the streams of blood which were flowing in the south of Ireland, where assassination and murder were daily and nightly committed against the Protestants. The sympathy of the hon. Member was all at one side of the question. The hon. Member said, that Ireland should not be governed by a party—and so said he; and, above all, not governed by that most degraded party in Ireland who wished to dictate the course that ought to be pursued by Government, and employed themselves, night after night, in bringing forward discussions tending to the separation of the two countries. The hon. Member said, and said truly, that the Government were now making an experiment; they had gone into the tiger's den to soothe him down, but the tiger had turned round upon them. The hon. Member said, that the Orange Magistrates should be displaced, but, if they were, he hoped that many Magistrates in the county of Wexford, whom he could name, would be also dismissed. The Orangemen were next called exotics, although Orangeman was almost the distinctive appellation for Protestant. [Mr. *O'Connell:* I deny that to be a fact.] He really believed the wish expressed for the introduction of the King's troops into Ireland, had no other object than to put down the Orangemen and Protestants; and thereby accomplish the ulterior designs of the hon. Member. He would not further enter into this subject; but once for all say, that but for the inflammatory topics introduced into this discussion, notwithstanding the beseeching exhortation of some hon. Members, he should not have said a word. But he could never consent to have the House made the organ of that delusion, which, through the Press, would find its way into every town, village, and hamlet, in the United Kingdom; and he never could sit still while mis-statements were made, without giving them a contradiction. He would only for a moment advert to the statement made by the hon. Member a few nights since, as to the Grand Jury of Carlow having drank certain toasts. He denied the statement at the time, and he then held in his hand a written document, containing a voluntary disclaimer of the Grand Jury, that no such toasts were drank whilst any member of the Grand Jury remained in the room. After that, he thought, no doubt whatever could remain on the mind of every Member, that the assertion he had contradicted was totally without foundation.

Mr. *Jephson* would put it to hon. Gentlemen, if they ever heard in that House a speech more calculated than the speech of the right hon. member for Harwich to revive and encourage discord. That right hon. Gentleman accused him (Mr. Jephson), and some other Members of that House, of forming a cabal for the purpose of brow-beating his Majesty's Government. But, he asked, was not the speech of that Gentleman (Mr. Dawson) himself remarkable for a disposition to brow-beat the Government? The Irish Members who waited upon the Prime Minister, would have been unworthy of the trust reposed in them by their constituents, if they dared not represent to any Government their feeling as to its measures. He complained not only of the right hon. Gentleman but of the noble Lord himself at the head of the Government, who had so expressed himself as to appear to coincide with another noble Lord, who put some questions respecting the Prime Minister's intention with those Irish Members. If those Members did not meet that noble Premier's dignity, as he himself might call it, or, as they would say, his pride, with the pride becoming such a body as they formed, he would not have felt as he did feel, that it was a high honour to him to have made one of that body. As to the imputation which had been cast upon them by another noble Lord, he would not say one word, because he considered anything that fell from that noble Lord to be beneath his notice. He concluded by stating, that the object of the Gentlemen who waited upon Earl Grey was friendly to the Government.

Mr. *Sheil* could not help expressing his surprise at the complacency with which right hon. Gentlemen on the Ministerial side, received the clouds of incense which were poured upon them on some occasions, from the Gentlemen opposed to them. He would admit, that the evidence of Gentlemen connected with Ireland could not, perhaps, be relied on implicitly on the subject of the Yeomanry; because "we come here," said he, "bribing with faction." But surely, the evidence given against that body by its friends and defenders—nay, by some of its own members—might receive some credit; and, according to their testimony, what was the constitution of that force? Colonel Verner himself, the Grand Master of the Orangemen of Ireland, stated, in his evidence before a Committee of that House, that no Catholic would be received into a Yeomanry corps in the north of Ireland. He referred to all the evidence taken before the same Committee, to prove the systematic exclusion of the Catholics from the Yeomanry, especially in the north. When a number of Gentlemen connected with Ireland waited upon the Prime Minister, to express their feelings with respect to some of the measures of the Government towards that country, they did not go to beard him, as had been said, but to tell him honestly, candidly, and respectfully, their opinions, so that they might avoid making that House nightly the theatre of irritating discussions, by which the public business was impeded. The right hon. member for Harwich said, that the Members for Ireland did not agree with the Gentlemen who waited on Earl Grey; but he would beg leave to remind the right hon. Gentleman, and his Majesty's Ministers, that all those Members for Ireland, who usually support the Government, were present at that interview. As to the affray at Newtownbarry, he wished to God that the question were set at rest for ever by a full and impartial investigation.

Lord *Killeen* was very unwilling to prolong this discussion, but after the speech of the right hon. member for Harwich, he could not refrain from saying a few words. The right hon. Member had been pleased to call those Gentlemen who went to Earl Grey, a cabal. If the right hon. Member meant to impute to him any of those motives which were supposed to influence a cabal, he must tell him that the imputation was unjust and unfounded. The right hon. member for Harwich was greatly mistaken, if he supposed that he, and the other gentlemen who had had the interview with the Premier alluded to, waited on that nobleman, for the purpose of bearding the Government. He had not signed the paper which was first sent to Earl Grey, because, like the hon. and learned Gentleman who had just sat down, he did not quite agree with some expressions which it contained. But when the interview was appointed, he felt that he should not do his duty were he to absent himself on the occasion. Many who attended there differed essentially from the hon. and learned member for Kerry on one great question regarding Ireland, and he (Lord Killeen) must say, that he was one of those. It had been before stated, that the interview was sought in a friendly spirit; and indeed, if it were otherwise, he should not have attended it. The object was, as they stated to the Prime Minister, to prevent the interruption of the important business now before Parliament, by discussing in that House the subject of their application. The right hon. Gentleman was very sensitive about the annoyance which they had given to the Ministry: indeed, he complained as if he thought that they were poaching upon his manor. As to the Yeomanry, it had been admitted by the right hon. Secretary for Ireland, that they were a party force; and surely no member of the Government or of the House would say, that such a force ought to be maintained in Ireland.

Mr. *Ruthven* was satisfied to leave it to the Ministers to make such modifications of the Yeomanry force as, upon consideration, they should see to be expedient. He thought it inconsistent with propriety and with parliamentary usage to speak of any body of Gentlemen in the language applied by the right hon. member for Harwich to the deputation which waited on Lord Grey. It was unbecoming to taunt those Gentlemen with having gone to beard the Minister, whereas, in fact, they waited on him in a respectful manner, and with the most friendly intention, to prevent angry discussions being continually renewed in the House. He had no doubt that it would have better pleased many Gentlemen below him (on the Opposition Benches), had the deputation been conducted with a factious spirit; but because the Gentlemen who composed it came back to that House to give the Ministers their support in measures which had the good of the people for their object, the right hon. Gentleman, no doubt, was disappointed and displeased.

Petition brought up. On moving, that it be printed,

Mr. *Lambert* said, that the manner in which he had brought up the petition seemed to have given very different satisfaction to different Members. The right hon. Secretary for Ireland praised his moderation, whilst the hon. member for Dundalk (Mr. James E. Gordon) accused him of having made an immoderate and violent speech. He could not hear the attacks which had been made upon the hon. and learned member for Kerry, without expressing his deep sense, as an Irishman, of the services which that gentleman had rendered to his country. He had expressed no sweeping censure of the Yeomanry, nor cast upon them, as had been said, any insult as a body. But he agreed in the opinion of the most experienced friends of Ireland, that it was the very last species of force that ought to be employed in Ireland; and he hoped that the Government would place it in a state of what he would call (to use an Irish phrase) wholesome decay, and that they would begin its gradual abolition with the reduction of the Wexford corps. As the hon. member for Dundalk was indignant that the affray at Newtownbarry should be called a massacre, he felt himself compelled to lift up the veil which had been thrown over this transaction, and he would mention to the House only one incident, which he had learned from a Protestant gentleman of the highest respectability, and of extensive property, who, however, was not a relation of any of the Yeomanry or Magistrates who had been connected in the transaction. Immediately after the horrible occurrence, that gentleman saw a wretched husband leaning over the body of his wife, whose womb had been torn by those butchers—her murdered child protruding from it. There were several persons who had seen that woman deliberately aimed at by a Yeoman, who fired at her, disregarding the cry of shame that burst from the bystanders. There could be no doubt of the fact; and yet, whilst the Judges were sitting almost upon the spot, the assassin was walking abroad in open day unmolested, and the murder was to this hour unpunished.

Mr. *O'Connell* said, that as he had been personally assailed by the hon. member for Dundalk, he must say a few words in vindication of himself. Because he had complained that some Gentlemen had expressed no pity for the unhappy persons who had been killed by the Yeomanry, the hon. Member had turned round upon him and said, that he never expressed pity for those who were waylaid and murdered in Ireland; and that he seemed to desire that all the commiseration should be on one side. Now, was that fair? He would tell the hon. Member, that he had never spoken but in terms of execration of the miscreants who had committed the foul deeds of which the hon. Member had spoken. The hon. Member complained of his having called the Orangemen "exotics." But the hon. Member was himself a proof that it was not considered a crime in Ireland to be an "exotic;" for if it had been, how could the hon. Member, speaking a dialect which few Irishmen could understand, have won his way at Dundalk? It could not have been by the bewitching accents of his tongue—he must have gained their hearts by the sweetness of his countenance. He had another charge to make against the hon. member for Dundalk, and he should like to hear his answer to it. That hon. Member some time ago read a letter to the House, which he stated had been written by the Rev. Mr. Murphy, a Catholic clergyman in the county of Clare. Observing some Scotticisms in the letter read by the hon. Member, his suspicions were awakened, and finding, that the document which the hon. Member read was not in the handwriting of the Rev. Mr. Murphy, with whose handwriting he was well acquainted, he asked the hon. Member for the original. The hon. Member then said, that he had read to the House a copy of the original letter, and that he would produce the original. He repeated the same promise to his friend opposite, the hon. member for Ilchester, who put a similar question to him on that occasion. It was about two months since the hon. member for Dundalk had made that promise, but had never fulfilled it, and he therefore defied the hon. Member to produce the original of that letter, which he stated had been written by the Rev. Mr. Murphy, and which he had promised to produce. There never was a grosser mistake than that which had been committed by the hon. member for Dundalk, in attributing to him the statement, that if the Yeomanry were disarmed, the people would attack them. What he meant, and what he had said was, that the Government, while they pursued the system that they did, durst not disarm the Yeomanry. The right hon. member for Harwich had, in fact, in the course of his valorous speech, told his Majesty's Government, that if they disarmed the Yeomanry, they would get arms themselves; and he had put it to the Government, whether they would put those poor Orangemen to 25*s.* a head expense. The Government ought to despise such threats from the Orange party in Ireland. There never was a Government which was so capable of meeting, if it chose to do so, the threats of the Orangemen of Ireland with utter contempt and defiance, as the existing Government of this country. While the Government had the people of both countries with them, they surely should not experience any alarm from the impotent threats of such a miserable faction. Let the Government take the King's arms out of the hands of the Orange Yeomanry, and then if they should dare to beard the Government, the unarmed peasantry would be able themselves to preserve the peace, and to defeat the efforts of the faction. The shedding of blood daily and hourly in Ireland was a sufficient excuse for the Government to put an end to such a mischievous force. Why not disband this Yeomanry force, and in its stead augment the number of the King's troops in Ireland? Or why not send over 20,000 or 25,000 of the English militia to Ireland, to take the place of such a justly obnoxious, long censured, and most mischievous body? For his part, he for one would be ready to vote that the whole expense of maintaining that militia should be thrown upon Ireland, if the Yeomanry were put an end to. It was absolutely necessary for the peace of Ireland to get rid of such a party-prejudiced and factious force as the Orange Yeomanry presented. They wanted a force in Ireland, that while it had arms in its hands, should not be mixed up in village feuds and party animosities, which were still further enhanced by the infusion of religious discord. They did not, at the same time, require that this force should be cut down at once. All they asked for was, that it should be gradually abolished. During the preceding Administration, and up to the time when the present Ministers came into office, this force was a perfect nonentity—the very shade of a shadow. But the present Ministry had put arms into the hands of 28,000 of those men, and they had been ever since affrighting and alarming the people, and, he would not say murdering, but, at all events, blood-letting in Ireland.

Mr. *James E. Gordon* said, that he was astonished that the authenticity of the letter which he had read to the House on a former occasion, had been called in question. He certainly had not the original by him, but when he read the letter he said that the original should be forthcoming. He made the statement which he laid before the House, with regard to the letter of the Rev. Mr. Murphy, on the authority of an individual who had transmitted a copy of it to him from Ireland. It had quite escaped his memory, and he had never thought of sending for the original until the hon. member for Kerry had referred to the matter a few days ago. He then immediately wrote for the original to the gentleman in Ireland who had transmitted the copy to him. He had since understood, that that gentleman was in England, but he had no doubt that as soon as his (Mr. Gordon's) letter should reach him from Ireland, the original document would be forthcoming. The fact was, that the letter in question had been published in the Ennis paper a year ago; it had since gone the round of all the papers in the empire, and it had not been contradicted by the Rev. Mr. Murphy, who resided within seven miles of the town of Ennis.

Mr. *Wyse* said, that the right hon. member for Harwich had thought proper to read a lecture to the Irish Members, for threatening, as he had accused them of doing, the Government of the country. Now he (Mr. Wyse) would refer that hon. Member to a meeting of the Irish Members, which took place during the Liverpool Administration, to denounce the Still-fine system, and to insist upon its abolition. Very strong regulations were passed by that meeting, and a deputation from it was appointed to wait upon Lord Liverpool. If his memory served him right, the right hon. member for Harwich was one of those Members who got up that meeting, though he now objected so violently against a meeting of Irish Members, upon a similar principle. The hon. Member had accused them of using threats towards the Government. They had used no threats, but the system of threatening was one that had been adopted by the right hon. Member himself, for his speech was a series of threats against the Government. He menaced the Government with a separation if they disarmed the Yeomanry. If the Irish Members, whose conduct had been subjected to the censure of the right hon. member for Harwich, had talked about a Repeal of the Union, what would he have said?

Mr. *Petre* said, that when the hon. member for Dundalk read the letter to which allusion had been made, he asked for the original, and the hon. Member then promised to send for it. If it should turn out that such a document had really proceeded from the pen of a Catholic Priest, he should be as ready to disavow the sentiments which it contained as any Member of that House.

Mr. *Maurice O'Connell* observed, that the Rev. Mr. Murphy was upon the bed of sickness at the period when this letter which was attributed to him, was dated.

Petition ordered to lie on the Table, and be printed.

LOSS OF THE ROTHSAY CASTLE STEAM VESSEL.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee of the whole House on the Reform of Parliament (England) Bill.

Colonel *Sibthorp* wished to take that opportunity to put a question to the hon. Gentleman opposite, the Under Secretary for the Home Department. He was encouraged to do so from the courtesy with which the hon. Gentleman had answered his question on a former evening, with regard to the melancholy subject of the loss of life occasioned by the disasters of steam-vessels. He had that morning received several letters from individuals in Liverpool interested in this distressing catastrophe, and in those letters, a circumstance was mentioned, to which the writers were desirous that the attention of Government should be called. It was stated, in those letters, that the office from which this vessel (the Rothsay Castle) sailed, was an office that had assumed the sanction of his Majesty's name, and that the vessels which sailed from that office, this Rothsay Castle amongst the rest, were described as "his Majesty's War-office Steam-packets." Such a circumstance as that induced strangers to place greater reliance upon such vessels. He wished to know, whether offices of this kind had any right thus to assume the sanction of his Majesty's name. He begged to ask, especially with regard to this office in Liverpool, whether it was a fact, that it assumed the sanction of the name of his Majesty, without the authority of Government? If that were the case, such a practice should at once be put an end to.

Mr. *George Lamb* said, that no one was more impressed than he was with the necessity of having the fullest investigation instituted with regard to the melancholy transaction to which the hon. Member had referred. He (Mr. Lamb) had also received several communications from Liverpool on the subject. As to the circumstance to which the hon. Member had called his attention, he believed it was a fact, that the office from which this vessel had sailed, was one of those that had assumed the sanction of his Majesty's name. There was no doubt, that such a practice as that was wrong, and ought to be discontinued. Such a practice was highly objectionable in the steam-packet offices in Liverpool, and in other ports, which offices had no connexion with the Government, for strangers were thereby induced to believe, that the vessels from such offices, being in the service of Government, were of a superior description. The circumstance had arisen from the practice of the War-office contracting with such steam-packet offices for the transport of troops, but it was a thing that should be put a stop to.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-SECOND DAY.] The House resolved itself into a Committee.

The *Chairman* said, the question before the Committee was, that, at line sixteen of the old print of the Bill, and at lines thirteen and fourteen of the new print of clause twenty-one, the following words should be omitted—" Shall, by reason thereof, acquire a vote in the election for any city or borough, if such rent shall be payable more frequently than once in every half year."

The Question, " that these words be omitted," was carried.

The next question was, that the following words in their stead should be inserted down to the end of the clause—" Shall, by reason thereof, acquire a vote in the election for any city or borough, if, by any agreement or contrivance, or by virtue of any Act of Parliament or otherwise, the landlord shall be liable to the payment of the rates for the relief of the poor in respect of such premises; but that, nevertheless, where, by virtue of any Act of Parliament, the landlord shall be liable to the payment of such rates, it shall be lawful for any such tenant to claim to pay such rates, and upon his actually paying the same, to acquire the same right of voting as if his landlord had not been so liable for such rates. Provided also, that the premises, in respect of the occupation of which any person shall be deemed entitled to vote in the election for any city or borough, shall be the same premises, and not different premises respectively occupied for any portion of the said twelve months; and that, where such premises, as aforesaid, shall be jointly occupied by more than one person, each of such joint occupiers shall be entitled to vote in respect thereof, in case the yearly value or yearly rent of such premises, or the yearly value in respect of which they shall have been assessed or rated as aforesaid, shall be of an amount which, when divided by the number of such occupiers, shall give a sum of not less than 10*l.* for each and every such occupier, but not otherwise."

Mr. *Wason* said, that there was a local Act in Liverpool, under which the landlords of houses of a certain class compounded with the parish for the poor-rates to which such premises were liable, the tenants paying a nett rent. As this clause stood, the tenants of such houses would be deprived of their right of voting.

Lord *Althorp* said, that it was absolutely necessary to make the payment of the rates the distinctive qualification, in order to avoid still greater difficulties which would arise were the clause otherwise framed. If the landlord paid the rates, it must be left to him and his tenant to make their own arrangements with respect to any alterations that might be necessary.

Mr. *Wason* : By the clause, the tenant must pay the rates to the parish, but as the landlord has already paid them, they ought to be paid to him.

Lord *Althorp* : If tenants themselves paid their rates, they must pay the full sum charged, but where the landlord paid them, the parish usually compounded with him for a certain sum, sacrificing a part in order to ensure the remainder. The doubtful responsibility of persons in such situations formed one reason for excluding them, and the difficulty of ascertaining the particular parties another.

Mr. *Ewart* said, there would be 3,000 voters in Liverpool, who were affected in this manner by the local Act. The Attorney General, whom he had consulted, was of opinion, that they would not be injured by the clause before them.

Mr. *Wason* : No individual among these persons could know the amount of rate to which he was liable, as his landlord compounded for houses in the gross.

Mr. *Charles Calvert* said, that there were premises in parishes in Southwark similarly situated to those of which the hon. Member had spoken. The parishes had been compelled, in self-defence, to procure an Act authorising the practice. It would be only necessary, however, for persons so situated to go to the Overseer, and get themselves rated, in order to be entitled to vote.

Mr. *Wilks* said, as many large towns were similarly circumstanced, he would propose, as an Amendment, that the clause should be so framed, that those who had a claim to be rated, should have only to go to the Overseer and be rated, in order to establish their right of voting.

Lord *Althorp* had no objection to such an Amendment.

It was accordingly proposed as an Amendment, that after the words " pay such rates," in the line twenty of the new print of the Bill, the words " in respect of such premises" should be inserted, and that instead of the words which immediately followed in the same line, viz. " and upon his actually paying the same, to acquire the same right of voting," the following words should be inserted—" and upon his actually paying the rates, to which he shall have become liable."

The clause, as amended, was put.

Sir *Charles Wetherell* found much difficulty in understanding the clause relating to joint occupancy. He desired to know, if more than one person could vote for a house, and by what qualification they were to do so? Was it because they were all liable to contribute to the poor-rates, or pay a portion of the assessed taxes which the whole premises were rated for, or because they were all liable to the same landlord?

Lord *Althorp* said, that either of the three qualifications mentioned would give the right of voting, to which he would add a fourth, and that was the payment of such a proportion of the rent as amounted to 10*l.* He had thought all those qualifications had been well understood.

Mr. *Cutlar Fergusson* took an objection to the wording of that part of the clause which related to the joint occupancy of houses, which he thought liable to abuse. For instance, in a house rated at 100*l.* a year, nine persons might obtain a right of voting without paying any rent whatever. A person desiring to advance the interests of a particular party at an election might take a house of that value, of which he paid the rent alone, but into which, as occasion might require, he could introduce nine other inmates, each of whom, by the provisions of this clause, would thereby obtain the right of voting, even if they were not rated to any parochial or other taxes.

The *Attorney General* did not conceive the objection of the learned Member valid; but, to remove all doubts, he would insert the words " owner or tenant." instead of " occupier," as an Amendment.

Mr. Alderman *Wood* wished to know from the hon. and learned Attorney General, whether each proprietor of a counting house was—*quoad* the counting-house, and without reference to his paying taxes —to have a vote for the Representative of the town or city in which the counting-house lay? This was important to know; because, in the city of London, it was a common practice to let out one large mansion in chambers, each chamber ranking as a counting-house, the proprietor of the mansion paying all taxes and parochial rates; so that if, according to the clause as it stood, each proprietor of a counting-house, for which he paid more than 10*l.* or 20*l.* per annum rent, was entitled to a vote, though he paid no taxes, it could only be to the detriment of the resident Liverymen who paid taxes, and unless such persons were made liable to the taxes for the city, he must, in performance of his duty, move an amendment to the clause.

The *Attorney General* said, the Bill would not disturb the existing law with respect to the right of the proprietors of counting-houses to vote, apart from the consideration of paying or not paying parochial rates.

Mr. Alderman *Wood*, in this case, understood the hon. and learned Gentleman to affirm, that the holders of such counting-houses, not paying parochial rates, as he had specified, would have votes in the city of London. He objected to this, and as a remedy, therefore, he would move as an Amendment to the clause, when the report of the Committee was brought up, that no counting-house, not paying taxes and parochial rates, should entitle its holder to vote under the present clause.

Lord *John Russell* conceived, that the hon. Alderman's Amendment would be supererogatory, inasmuch as the Bill provided, that no holder of a premise to receive the right of suffrage could exercise the right, without paying a certain amount of parochial rates.

Mr. Alderman *Venables* professed himself ready to agree to the clause, as amended at present, if it would have the effect of making it necessary that persons should pay a portion of the rates and taxes to entitle them to vote, as in the case of partners. Otherwise he should certainly support the Amendment of his worthy colleague.

Mr. Alderman *Wood* contended, that the clause was most unsatisfactory in the wording, and he should certainly, as he had already stated, on the bringing up the Report, move an Amendment which would meet the difficulties he complained of.

Sir *Charles Wetherell* said, he felt much gratified at finding two Aldermen of the city of London who were not so thoroughly satisfied of the merits of the "whole Bill," as to give their assent to such a clause as this, and he congratulated one of the worthy Aldermen (Alderman Venables), upon having manfully and honourably asserted his independence before the London Committee of Public Safety, who had laid their sapient heads together, and professed to keep a watchful eye upon the Reform Bill, the House of Commons, and the Ministry. He was glad also that the Committee of Public Safety had found, that the "whole Bill" would introduce a class of voters into the city of London which they were not desirous of having, such as lodgers and the holders of smaller parts of houses.

Mr. *Cutlar Fergusson* begged to know, whether every person who was to have the right of voting must be rated to the poor as a necessary qualification?

The *Attorney General:* certainly not.

Mr. *Cutlar Fergusson* said, this part of the clause, if that construction was put upon it, was wholly at variance with the provisions of the previous part of it, by which they had provided, that none but rate-payers should be entitled to vote.

Mr. *Wilks* said, if the clause remained as it stood at present, it would cause the greatest abuses. At a general election, nothing would be more easy than for persons who occupied some of the very large old mansions which remained in the city of London, and which were perhaps rated at 200*l.* a-year, to create a number of fictitious votes, simply by inviting their acquaintances to live with them for a time, and by this means give them the right of voting as joint occupiers, although, in point of fact, they paid neither rents nor taxes. Under such a system, it would be impossible to calculate the extent to which corruption would be carried. The ostensible object of the clause was, to allow partners to vote. He was ready to acknowledge that was proper, but he strongly objected to give the right of voting to mere lodgers under the guise of joint-occupiers.

Mr. *James L. Knight* said, it was clear, as the clause now stood, that any man who occupied a floor in a house let into compartments, if he paid at the rate of 10*l.* a year, would thereby acquire a right to vote.

Mr. Serjeant *Wilde* said, that a very slight alteration would render the clause satisfactory. What was wanted was, to give joint-occupying tenants the right of voting, and he thought every difficulty would be overcome by substituting the words "joint tenants of the same landlord," for the words proposed by his hon. and learned friend the Attorney General.

Sir *Edward Sugden* said, the alterations proposed would only add to the difficulties. The clause was monstrous as it stood, and its evils would only be increased by the alteration. It would, indeed, be almost impossible to determine correctly who were entitled to a vote, and the consequence would be, that the splitting of votes would be carried to an unlimited extent.

The *Attorney General* defended the view he had taken. He did not think the alteration recommended by the hon. and learned member for Newark would be an improvement, because every object proposed would be obtained by the words "owner or tenant." His object was, to secure the right of voting to occupying partners, and not to occupying tenants. And if the hon. and learned Gentlemen opposite would be content to take the common meaning of words, they would see there were no difficulties but of their own creating.

Sir *Charles Wetherell* said, that the clause, then, as amended, would, upon the Attorney General's shewing, enable persons holding houses to make an indefinite number of voters.

Mr. Alderman *Wood* said, he wished an answer to this question:—If a speculator in houses took a house, and paid the whole of the rates and taxes himself, and let that house to several tenants, were those tenants to have votes? Again, as there were several thousand persons non-residents in the city, but who occupied counting-houses there, for which they paid no rates, and who would be entitled to vote for the places in which they actually resided in the vicinity of London, he wished to know, were such persons also to vote for the city? He believed (notwithstanding all the attempted explanations of all the lawyers in the House, which were so conflicting and obscure as to prevent him being satisfied), that all such persons, provided they paid 10*l.* a-year for such counting-houses, would be so entitled, and as it would be exceedingly unfair to the actual rate-payers to have such an influx of voters, he must endeavour to remedy it.

Mr. *George Robinson* said, the worthy Alderman would be perfectly justified in taking any steps to prevent such an abuse, if the clause really bore such a construction as had been put upon it.

Lord *John Russell* said, as he understood the clause, tenants so situated would not have a vote unless they became rate-payers.

Mr. Alderman *Wood* would wish thoroughly to understand if such was really the case, for not one in ten of the occupiers of the larger houses in the city paid rates. They were generally let out in chambers, and the person who hired the house, on the speculation of letting them to commercial persons, usually paid all the rates.

Colonel *Davies* said, the clause as it stood at present, would admit the manufacture of fictitious votes to an enormous extent.

Sir *Charles Wetherell* begged leave to direct attention to the extraordinary discrepancy between the version which the hon. and learned Attorney General, and the noble Paymaster of the Forces, gave of the present clause. The former said, that all the proprietors of counting-houses, or chambers styled as such, would have votes even though they paid no parochial rates, while the noble Lord flatly contradicted his fellow-labourer in the cause of the Bill, and said no, unless they paid a certain amount of taxes. Was ever such a thing witnessed before, that members of the same Government should thus flatly contradict each other on a simple question of fact? It was insulting to the proceedings of the Committee, after two Ministers had put a certain construction on a clause, for a third Minister to get up and contradict that construction. Was it not a glaring instance of the crude and unstatesman-like mode in which the whole measure was concocted?—in other words, a proof of the necessity of its being thoroughly revised before they proceeded further?

Lord *Althorp* said, there was no contradiction. He had said, that being rated to the poor was not necessary to obtain a vote, for, although a tenant might occupy, yet, if there was any collusion or contrivance by which the landlord became liable to the rates, the mere occupancy did not give a vote. When these circumstances were considered, it would be seen, that he was precisely of the same opinion as the noble Lord.

Mr. Alderman *Venables* said, that was the way he had understood the clause, until doubts had been thrown over its operation, which doubts had not been removed, as no distinct answer had been given to the objection of his worthy colleague.

Sir *Edward Sugden* contended against the construction put upon the clause by the noble Lord. It provided, that if the landlord, of any premises was liable for the rates, the tenants had no votes, but the tenant could claim to pay the rates, and, by so doing, obtained the right. This question then followed, was the landlord liable for the rates by Act of Parliament? He considered he was so, but not in the sense this clause gave. Suppose a house was let for 10*l.* a-year rent, and the landlord was liable for the rates, the tenant by claiming to be rated himself, established thereby a right to vote, but according to this clause, hereafter a man might have a house worth 200*l.* or 300*l.*, and let it out in floors or chambers, each tenant paying more than 10*l.* rent. How were the rates to be paid? Was each tenant liable to the whole, or only a part, and how were they to be divided, and into what portions? As neither of these plans could be effected, the man would lose his right to vote, and this was the way the noble Lord and his friends contradicted each other, one said, persons so situated would have votes, the other maintained they would not.

Lord *Althorp* said, their object generally was, that when a tenant only occupied without paying rates, he could have no right to vote, but as there were local Acts of Parliament, by which the landlords of houses under the value of 18*l.* per annum, were liable to the rates, it was in such cases only, that they wished to give the tenant the privilege of voting on claiming to pay the rates.

Sir *Edward Sugden* must repeat, that the clause was very obscure. How would it operate, he requested to be informed, in such cases as the landlord paying all the rates upon a large house divided and let to separate tenants? There could be no appertainment of rates to each, and such a case was very different from Chambers in Inns of Court, where each set was a distinct tenement, and distinctly rated.

Sir *Robert Peel* said, as he understood the question, it was, that if a man paid 10*l.* a-year rent and upwards, that gave him the right to vote, but this general right was qualified by certain local Acts of Parliament, which rendered the landlords of houses under the value of 18*l.* liable for the rates. Whatever these might amount to, the tenant ought to have a corresponding reduction of his rent. If he claimed, by the payment of these to be entitled to vote, and if he did not obtain this, he was hardly treated. Considering these circumstances, he wished to suggest the propriety of adopting the system pursued with respect to the qualification for jurors, which was assessment to the poor-rates at a certain sum. If that were done, great difficulty would be overcome. He said this, however, assuming one uniform qualification for voting to be desirable, which he certainly did not think. God forbid an uniform right of voting ever should be established—but if it were, liability to the poor-rates was the simplest and the best criterion. Another test might be had in the number and size of the windows of a house. The clause, as it stood, would give a man who paid a certain amount of rent and taxes, a vote; but another who paid more to his landlord in rent, than his neighbour paid in rent and taxes, would have no vote because his landlord paid his rates.

Lord *Althorp* could not see the utility of the suggestion. The landlord and the tenant had the power of making their own arrangements.

Colonel *Davies* said, that in Southwark, Liverpool, and other places, the landlord was compelled to pay the rates for all houses let at a rent under 20*l.* a-year, and therefore the tenant would have no means of acquiring a vote.

Mr. *Wilks* said, there was no local Act of the description alluded to, that did not allow a tenant to deduct the amount of his rates if he paid them.

Sir *Edward Sugden* said, the hon. and learned Gentleman was in error, for there was nothing in the present Bill to authorize a tenant to subtract the amount of his rates from his rent. Ministers, according to their version of the clause, said, the tenant must pay a premium for the right of voting in the shape of poor-rates, the hon. Member said the contrary, he wished to know which was right.

Mr. *Hunt* said, he had asked the question before, whether a tenant would become liable to extra payments on obtaining the right to vote; he had received no answer, but now it appeared, the tenant was to pay, and the sum taken from the pockets of the poor was to go into those of the landlords.

Mr. Serjeant *Wilde* asked what the

question was which was then before the Committee. He believed, that they were upon the last provisor of the clause; but he was not so certain, as a multitude of topics had been introduced, which were quite irrelevant to it.

Sir *Robert Peel* said, that upon a clause, by which they were constituting a new election system for the country, it would be very hard if they were to be tied down, during the discussion, to the strict letter of it. He wished to know whether the noble Lord, in framing this bill, had at all considered how far the 59th George 3rd c. 12. operated upon this particular clause. This clause gave a right to vote to every 10*l.* householder, on the ground that such individuals formed a sufficiently enlightened part of the community to entitle them to that privilege. The preamble to the 19th and 20th clauses of the 59th Geo. 3rd expressed a very different opinion of them. He would take the liberty of reading it to the Committee. It was as follows:—"Whereas in many parishes, and more especially in large and populous towns, the payment of the poor-rates is greatly evaded by reason that great numbers of houses within such parishes are let out in lodgings, or in separate apartments, or for short terms, or are let to tenants, who quit their residences, or become insolvent before the rates charged on them can be collected; and it hath been found in many instances the persons letting such houses do actually charge and receive much higher rents for the same, upon the ground and expectation that the occupiers thereof cannot be effectually assessed to the poor-rates, and will not be charged with, or required to pay, such rates, and do thus obtain an advantage to themselves, &c. &c.: for the remedy thereof, be it enacted, that the owner or owners of any house being the immediate lessor of the actual occupier, which shall be respectively let to the occupier thereof, at any rent or rate not exceeding 20*l.* nor less than 6*l.* by the year, shall be assessed to the rates for the relief of the poor." The Act of the 59th George 3rd which was a deliberate act of the Legislature, evidently looked upon those 10*l.* householders as anything but an intelligent and a respectable class. The very next clause of that Act was as follows:—"Provided also, and be it further enacted, that the goods and chattels of every occupier of any such house, &c., which shall be found in and about the same, shall be liable to be distrained, and sold for raising so much of any such rate or assessment, being in arrear, as shall have become due during the occupancy of the person or persons whose goods and chattels shall be so distrained, &c. Provided also, that every occupier who shall pay any such rate or rates, or upon whose goods or chattels the same or any part thereof shall be levied, shall and may deduct the amount of the sum which shall be so paid or levied out of the rent by him and them payable, and such payment shall be a sufficient discharge to every such occupier for so much of the rent payable by him as he shall have paid, or as shall have been levied on his goods and chattels of such rate, and for the costs of levying the same." So that the law of the land was, that if the occupier claimed to pay the rates, or paid a sum of money to redeem the goods distrained, he could clearly do it. Now, if the occupier of a 10*l.* house paid the rates, he had the right by law to deduct them from his rent; and if he did deduct them from his rent, he ceased to be a voter. There was evidently a collision between this clause and the 59th of George 3rd. He was convinced that, unless some arrangement was made between these two conflicting clauses, much confusion would arise. He hoped, that before the noble Lord brought up the usual report on this clause, he would make some arrangement which would remedy this anomalous condition of the Bill. The rates of course must be paid, but he was inclined to think, that the tenant who, on the faith of such an understanding as that supposed by the hon. Member opposite, paid paid the rates for the purpose of voting, would have a right to recover from his landlord, or the poor tenant would have no protection; and if he made the deduction in some cases he would lose the right of voting. Suppose, for example, a tenant had a rent of 13*l.* a year, for a house on which his landlord was liable to 4*l.* a year rates; if he deducted these he would lose his right of voting. Another difficulty appeared to him to be this. A case might arise in which a landlord had made a general composition for paying the rates for an entire row of houses, so that it would become a hard matter to ascertain the amount of rate which had been paid for any particular house as a portion of the whole.

Mr. Serjeant *Wilde* said, that, as the

clause was now worded, the rates must be paid in order to entitle the tenant to claim his vote: but the tenant of a 10*l*. house, as well as the tenant in joint occupancy, would be entitled to recover from the landlord, if he paid the rates beforehand for the purpose of voting. It frequently happened, however, that there were a number of small houses, of different sizes, of which the landlord paid the rates of all in one sum, by composition. Now the only difficulty he felt was, as to the ascertaining of the proportion of rates in such cases, so that the tenant might be able to recover his vote, for he was inclined to believe, that in all cases the tenant could deduct the amount from the landlord, or recover it at law.

Sir *Robert Peel* was afraid, that this Bill, which used the words of the 59th George 3rd, would give the tenants who paid their rates to secure a right of voting, a title to deduct that sum from their rent. It would be better, therefore, to give them this right of voting on payment of the rates expressly under the present Bill.

Sir *Edward Sugden* said, the true statement of the case was really this: The clause, as it at present stood, allowed the tenant to vote on paying his rates; but at the same time (and the noble Lord (Althorp) admitted it) the tenant, when he had so paid, was not entitled to recover the amount of the rate from the landlord, or empowered to deduct it. He really thought, that, after differences of opinion expressed by all the Gentlemen connected with the law, respecting the true bearing and effect of the clause, the noble Lord should not press it, without having previously attempted to make it somewhat more intelligible.

Mr. *Wilks* observed, that the clause was undoubtedly not very clear; but he thought it better it should pass than the tenant be deprived of the chance of a vote.

Sir *Charles Wetherell* said, that if the clause was permitted to stand, they would be compelled to pass an Act to declare that it was not intelligible as it at present stood, and to make it intelligible. The Ministers were, however, deceiving the people with hopes that could not be realised. They proclaimed to the people of Manchester and Birmingham, that they were giving them a great boon in the 10*l*. qualification, but it would be found, when the Act came into operation, that few or none of that class of persons, it was so worded, could take advantage of it. It would deceive people into the belief, that they became entitled to a vote under its provisions, but neither layman nor lawyer in that House was able to say how this was to be accomplished, or by what means they were to become enfranchised. Under the clause, as it now stood, the tenant might gain a vote by paying his rates, but then he could not recover from his landlord, so that he was driven to the necessity of losing his vote or his money. The Government expressed a great respect for the rights of the operatives, and he admitted, that they were a highly intelligent, respectable, and trust-worthy class of the community. But how did the Government treat that class, with all their popularity-hunting professions of regard to their interests? Why, they deceived and deluded them with the prospect of advantages which they were not to enjoy. Although he did not profess so much, yet he would deal more fairly with them. He would not say to them, "You are to have a vote," and afterwards leave them to pay a pound in the shape of rates, which it appeared they had no power to recover. The opinion which a learned Serjeant and eminent Pleader gave on the subject was, that the tenants might pay their rates, and he was inclined to believe (a style of language very common with the learned Serjeant's profession, when they gave an opinion)—he was inclined to believe they might afterwards recover by an action at law. The noble Lord had much better deal fairly and openly with the numerous and respectable class of operatives who would be affected by this clause, and tell them, "You may be very respectable persons, indeed, but, gentlemen, give me leave to tell you, you must, in order to become entitled to your votes, not only be assessed for 10*l*. but you must also pay a rate of 1*l*. in order to become possessed of your vote." If the noble Lord were to send down word to the operatives of Birmingham and Manchester, that such was the condition under which they were to be enfranchised, and that clause twenty-one was thus found to be a gross delusion on the people, he believed, that the Ministerial excitement would be much less vivid and animating than it now was. He had been always opposed to the avowed principle of this clause; but then he would not as an honest man, practise any delusion to deceive the people, or to give effect to his opinions. The whole clause seemed to him to be contrary to parliamentary good faith, and he should have been wanting to his own conscience had he not expressed his opinion of it.

Mr. *Praed* said, that by the first part of the clause the elective franchise was given to the lowest class of voters, and by the latter part of it a most respectable class of persons were excluded from voting. He differed from the hon. member for Boston inasmuch as he thought, that unless the clauses were amended, it would be unintelligible, and not to be executed.

The original motion agreed to.

Mr. *Mackinnon* moved, as a proviso to the clause, that no person who receives rent from lodgers in any house, shall be qualified to vote for such house, if the yearly rent of such house were under 20*l.* His object was, to exclude persons from the elective franchise who occupied only small houses, and let the principal part of them to tenants, so that, in fact, they paid but a small amount of rent if any, the aggregate being made up by their lodgers.

Lord *Althorp* objected to the proviso. If the principle of the hon. Member's proposition were good, he ought to carry it much further, for many persons who paid 50*l.* a-year rent and upwards received the whole from lodgers.

Mr. *Mackinnon* said, his object was, to prevent persons of the very lowest class, who might rent a house at 10*l.* a-year, and let it out in small tenements, at very small sums, to others of their own description, from having a right to vote. He presumed that these were not the class of persons to whom the noble Lord intended to extend the franchise. There was a great distinction between such persons, and those who inhabited large houses, which they partly let out in lodgings.

Mr. *Stuart Wortley* supported the Amendment, but would be disposed to extend it to the keepers of all lodging-houses, unless they had a clear interest in the premises, or occupied so much of them as was worth at the least 10*l.* a-year.

Lord *Althorp* said, this principle would exclude many most respectable householders, who let part of their houses to lodgers, particularly tradesmen in some of the principal streets, who actually obtained more from their lodgers, including the furniture supplied to them, than their rent amounted to.

Mr. *Stuart Wortley* said, they were deciding a question, arising out of a certain qualification which the noble Lord himself had fixed at 10*l.*, and he considered no person ought to have a right to vote, unless he paid that sum, over and above what he received from lodgers.

Mr. *Hunt* said, there were very many most respectable persons, who made a living by letting parts of their houses, and providing for their lodgers. Surely the hon. Member could have no intention of excluding such persons from the franchise.

Amendment withdrawn.

Mr. *Mackinnon* also moved, as a proviso to the 21st clause, that in all cities or boroughs, which contain from 300 to 500 houses of 10*l.* rent, the qualification to vote may remain as stated in this section, but in those cities or boroughs which have from 500 to 1,000 houses of 10*l.* rent, the qualification to vote shall be 15*l.* yearly rent, and that in those cities or boroughs which have 1,000 houses or upwards, the qualification to vote shall be 20*l.* rent. The hon. Member observed, that the persons who paid only 10*l.* a-year in large cities or towns, were of a different class in general from those who paid the same rent in small towns; and if the right of voting were given to the 10*l.* householders in large towns, it would place the election for those towns wholly in the hands of that class, which, in general, consisted of the least intelligent persons.

Lord *Althorp* said, that as this involved the discussion of the 10*l.* qualification, which had been so fully discussed, and on which he had spoken at least twenty times last night, he hoped the hon. Member would not think it disrespectful to him, if he now confined himself to saying, that he saw no ground for altering the opinion he had already given against the principle of the Amendment.

Mr. *Ellis* opposed the Amendment, because it would tend to prevent a popular constituency being established.

Mr. *Trevor* supported the Amendment, on the same principle as that which led him to object to the whole of the 10*l.* clause.

Colonel *Sibthorp* also supported the Amendment. He must remonstrate against the noise and inattention in the House, which, notwithstanding all the efforts of the Chairman (of the severity of whose task he was fully aware), prevented hon. Members from being heard, Sir *Charles Wetherell* regretted the practical test which Ministers applied, to try the given phantom of respectability and intelligence. A more bungling test could not be devised of giving the franchise than that of uniformity of rent.

Mr. *Mackinnon* would prefer having his Amendment negatived to withdrawing it.

Amendment negatived.

Mr. *Hughes Hughes* rose to move his Amendment, which, he said, in consequence of what had fallen from the hon. and learned member for Stafford, he should vary from his notice. His object was, to protect the poorer classes of tenantry, who, having for several years paid their rents regularly to their landlords, might nevertheless receive notices to quit on the eve of an election, for the purpose of depriving them of their franchises. His Motion now was, to add to the clause a proviso, "that notice to quit, given between the period of the dissolution of one Parliament, and the election of a Member or Members to serve in the succeeding Parliament, for any city, town, or borough, or during any vacancy of a Representative for such city, town, or borough, to a weekly tenant, or a tenant liable to quit at a week's notice, shall not have the effect of depriving such tenant of his right of voting." He had thus altered his Motion, because he had understood from the hon. and learned Gentleman, that to take from the landlord the right of giving notice to his tenant would be an improper interference between the landlord and tenant.

Lord *Althorp* objected to the proposition, the effect of which would be, to give persons a right of voting after they had lost possession of the tenement in virtue of which they were to vote. Besides, one principle of the Bill was, that the voter should be compelled to swear to possession; how could this be done in such a case? He admitted, that there might be some inconvenience as the matter stood; but, upon the whole, he thought that the inconveniences that would attend the adoption of the hon. Gentleman's suggestion would greatly preponderate.

Mr. *Hughes Hughes* did not see any difficulty which, by an alteration of the terms of the oath, or by some other means, might not be obviated. If a tenant was driven out by his landlord, he surely ought not to lose his vote. They were not yet come to the registration clauses, when, if the Committee adopted his Motion, they could alter them, to meet the cases that were likely to arise under it. It had been truly stated, that landlords, possessing large numbers of small houses, occupied by weekly tenants, would either compel such persons to vote as they might direct, by threatening to eject them, or, if they were not disposed to obey, to carry their threats into execution, and so neutralize their votes.

Mr. *John Campbell* said, this Amendment was different from that of which the hon. Member had given notice, and rested altogether on different grounds. It would take away all qualification whatever. If a man was to have a vote, because he had paid the rent of a house up to a certain time, you must give a vote also to the man who had the reversion of a house, dependant on the death of another. It would be a most dangerous precedent. He could not, therefore, support the Amendment.

Amendment negatived.

Mr. *Hunt* next moved, "that all persons who shall be excluded from voting for Members of Parliament, shall be exempt from the payment of taxes and rates, and from serving in the militia, and be protected from being compelled to serve in the navy, under the Impressment Law." The principle on which he made this Motion was, that Taxation and Representation ought to go hand in hand. In our Law Courts it was supposed, that every man should know the law, and no man could be allowed to plead ignorance of the law, as it was presumed he had helped to make it by himself or his Representative. He wished to make this a fact instead of a legal fiction, by giving every man a right to make the law through his Representative, or exempt him from the payment of taxes to which he had never consented.

Lord *Althorp* said, that the principle of the hon. Member did not go far enough, for he ought to hold, that a person who did not vote for a Member of Parliament was not bound to obey the law.

Mr. *Hunt* thought the noble Lord was correct, and that was one reason why he wished for Universal Suffrage.

Amendment negatived.

Mr. *Praed* moved, that at the end of the clause there be inserted—"Provided always, that no person shall, by reason of any thing herein contained, acquire a vote in the election for any city or borough, who shall, within twelve calendar months next previous to the 12th of November in the present year, or next previous to the last day of August in any succeeding year, have been in the receipt of parochial relief."

Lord *Althorp* said, he did not object to this Amendment.—Agreed to.

The question was then put, "That clause 21, as amended, stand part of the Bill."

Mr. *John T. Fane* opposed the clause, on the ground, that it would destroy the chartered rights of all the boroughs in England. They had been told that charters and prescriptive rights were usurpations; but he could not take that view of ancient institutions. The present clause was as bad as Universal Suffrage, and he should oppose it.

Mr. *Stuart Wortley* could not allow the clause to pass without making a few observations. It appeared to him extraordinary that the framers of a new Constitution should have gone so much further than was necessary. The clause under consideration contained in itself proof of the rashness of those who had made it. It was necessary, he was ready to admit, in the formation of the new system, to enfranchise large towns, but the noble Lords had gone beyond that necessity, and proceeded, on the most vague foundation, to change our whole political system. Their proceedings justified the most serious apprehensions. Two classes of boroughs were to be provided for, but it could not be necessary to give the elective franchise to the 10*l.* householders throughout the kingdom. His Majesty's Government were not justified in proposing the 10*l.* clause to Parliament. A great number of houses in large towns were not rated at all. It was said, 10*l.* householders would produce a respectable constituency, but that he considered a complete delusion. He did not know where his Majesty's Government collected information upon which they could say that class of voters would form a respectable constituency. In England and the principality of Wales, the number of houses below 30*l.* a year amounted to 257,000, whilst those above 30*l.* did not exceed 200,000. The consequence would be, that the dense body of 10*l.* householders would have too great a preponderance, and bear down the interest of the freeholders. There was a woful deficiency of information, in the Ministers. The Committee, acting as Senators, ought to look with great apprehension at the change to be effected in the Representation, and they could not see their way clearly because they had no information to be depended on. The pretence for the measure was, the facilities in the present system for corruption; but the new system would afford greater facilities. It would be unfair and irrational to suppose they could sit in that Committee and suffer such a clause to pass without giving their opinions against it. He had done his duty in opposing it to the utmost of his power, and would continue to give it his decided opposition.

Lord *Althorp* said, the principle of the clause had been repeatedly discussed. He was ready, at the same time, to admit, it was the most important clause of the Bill, and involved considerations of the highest interest. He denied, that his Majesty's Government had gone beyond the necessary provisions required by the state of the country. He was ready to admit they had received valuable suggestions from the hon. Gentlemen opposite, which they had availed themselves of, to make the operation of the Bill more complete. He was convinced it was necessary to adopt some systematic plan of voting, founded upon so extensive a basis as would satisfy the majority of the people. The Ministers had been charged with carrying this principle too far; but in reply he would say, that when the change of Administration took place, a violent excitement prevailed in the public mind, which it was necessary to allay. This was the principal cause why the present measure was submitted to the House, with the hope and expectation that it would be final, and prevent such continued discussions, which caused great inconvenience, not to say danger. With regard to the two classes of boroughs mentioned by the hon. Gentleman, and following out the principles he had laid down, they found that one set of them could not be formed so as to have an efficient elective body; these they disfranchised, and to the other, where there existed sufficient materials as a foundation for that purpose, they added adjacent districts, sufficient to make up a good constituency, by measures already well known to the House. A third set of boroughs contained a large and wealthy population, but as the franchise in them was confined to a few persons, they determined to include in it the great body of respectable householders, and he thought there could be no doubt that this was a most beneficial alteration. They had laid down a uniform system of voting for all the places so created, to represent all interests, and to proceed on such a broad basis as to make corruption difficult or impossible. The hon. Gentleman had charged the Ministers with proceeding on vague information. They had not, it was true, provided such minute details as had been required, but they had obtained sufficient to enable them to take a comprehensive view of all the cases they had to consider. They had again been charged that their uniform system would, in large towns, create a numerous and disorderly constituency, and in small ones would so much contract it as to leave out many respectable persons. Probably the latter accusation had some foundation, but he had no apprehensions of the former. The number of towns in which the constituency would be involved in difficulty would in amount be very small. It was a mistake to suppose, that increasing the constituency increased the chance of riot, for, in truth, during an election, riots might be occasioned as well by those who were not voters as those who were. With respect to county Representation, no change whatever had been made in the rights of freeholders, except by adding copyholders and certain classes of leaseholders, which, he thought, was a judicious measure. The Ministers intended, that in the newly-created boroughs all those classes of persons resident within them should have votes for such places, but in consequence of the amendment of the noble Marquis (the Marquis of Chandos) having been carried, they proposed that certain classes of such persons, viz: those who possessed freeholds under a given value, should continue still to vote for the respective counties, as a balance to prevent the agricultural interest in the county having the whole influence in the returning of county Members. It could happen only in very few places, that the counties would be injured by the constituency withdrawn to be added to the towns. Nor did he anticipate, that the manufacturing interests could prevail to such an extent, which seemed to be feared by hon. Gentlemen, as would enable them to overwhelm the agriculturists; for the larger number of freeholders connected with towns would vote for such places in consequence of the occupancy of premises within them. The way to consider this clause was, to consider the state of the public mind on the question of Reform, and he did not think they would have given any satisfaction if they had not gone as far as the Bill proposed. To propose a plan short of this would have given rise to many objections, without satisfying the people. They universally called for Reform, and had shown a want of confidence in the House of Commons as at present constituted: that was in itself a sufficient answer to such hon. Gentlemen as asserted there was no occasion for the measure. As to corruption, the difficulty of it would be increased in proportion to the number of voters. There was little chance of corrupting 12,000 or 20,000 voters. The objection applied more strongly to small places, but even there the 10*l.* franchise would produce a respectable class such as would not be found liable to corruption generally, although individual instances might at all times be expected. As to large manufacturing towns, so far from being an objection, he thought it desirable that wealthy men, or the masters of extensive factories, should enjoy considerable influence in such towns. Property would, and ought, at all times and places, to have such influence.

Colonel *Lindsay* said, this 10*l.* franchise was the principal foundation of the Bill, and contained the principle of the new constituency, by which it was proposed to alter all our established institutions. The noble Lord described it as calling into existence a new body, which was to represent the wealth, character, and intelligence of the country, and the test was, the occupancy of a 10*l.* house. The question, therefore, was, the kind of constituency that ought to send Members to the House. Was the foundation solid, or was it built upon a shifting sand, that would not sustain the edifice to be erected upon it? Of what class, therefore, was this boasted constituency framed? What sort of persons were the *bonâ fide* occupiers of 10*l.* houses? He never could allow that such persons represented the feelings and intelligence of the people, and he believed even this qualification might be easily evaded. The noble Lord said, the tests were, rent, rates, and taxation. Suppose a person pays a rent of only 5*l.*, if he is willing to pay a rate upon 10*l.* he may vote; and the persons who levied the rates would make no objection to such an arrangement, for it would be advantageous to them. Thus, supposing the rates were 3*s.* in the pound, a man would have to pay only 30*s.* a-year to entitle him to vote, in addition to his *5l.* rent, or even less. A landlord who owned many small houses in a borough, by resorting to a fraud of this character, might influence and control the election. What was to prevent a landlord from drawing up false leases? This had been done, as was fully proved in the case of the Dublin election, which had been brought under their notice a few days before, in which case fictitious freeholds had been manufactured to a considerable extent. It was much easier, however, to commit a fraud as to a leasehold than as to a freehold, and therefore there would be much greater facilities for making pretended voters. It would be impossible to ascertain who paid 10*l.* rent. It must give rise to endless litigation, and the Bill would become, what it had been described to be, an attorney's bill. In large towns this qualification would amount to Universal Suffrage, and in other smaller places a respectable class of persons would be excluded; and thus discontent and heartburning must be produced. Liverpool and Dublin proved, that numerous voters did not prevent bribery. Indeed, he had been much surprised at hearing the noble Lord, in the face of the evidence that had recently been before them, assert, that numerous constituencies were not likely to be corrupted. Surely the noble Lord could not mean to declare, that those places had not numerous constituencies; and by the Bill the evil must be increased, because attornies, who had local knowledge, and to whom it would be made a matter of advantage, would in future canvass, and frequently be the candidates, and not the aristocracy. Many boroughs which were now open would be made rotten by such means, for the parties who were so much interested would find means to bring the registration under their power. He had stated, over and over again, that he was a friend to Reform, but he was bound to oppose a Bill like this. He regarded this clause as the key-stone of the whole fabric, for suffrage would be extended by it so as to amount almost to Universal Suffrage. It opened the door to frauds of all descriptions, by allowing lodgers, and persons living in particular portions of houses, under the same landlord, and who paid at the rate of 10*l.* a-year, a right to vote. This part was so extremely objectionable, that he did yet hope the noble Lord would consent to regulate the exercise of this privilege by further restrictions, or he was satisfied it would, ere long, lead to Universal Suffrage and the Vote by Ballot. He feared, at all events, that the results would be fatal to the Constitution, and would be deplored by posterity. He would, therefore, oppose it to the utmost extent of his power.

Mr. *C. W. Wynn* agreed with the noble Lord that this was one of the most important clauses in the Bill. He was sure, therefore, that no surprise need be manifested at the time that it had occupied the attention of the House. The general principles of the clause, as well as its various details, had been debated with great talent by both sides of the House, and he felt assured that his noble friend would admit, that many of the suggestions thrown out were well deserving of his serious consideration. He could not agree in the principle of the Bill, for although he admitted the necessity of yielding to the wishes and demands of the people on the subject of Reform, yet it was altogether unnecessary to go the whole length of the present Bill. He was not an enemy to the democratic branch of the Constitution, but the system of Government to be formed by the Bill gave an undue preponderance to that branch. The House was to adopt this system in the room of one under which all the various interests of the country had flourished and increased—in the room of that which afforded an adequate Representation to all the various classes of the community—the House was to adopt a system of Representation, based on an untried, and, therefore, dangerous foundation, in the place of one which, from its very anomalies, had afforded an accurate Representation of all classes and interests. No reason had hitherto been shown to justify so extensive a change. The noble Lord said, that it was necessary to satisfy the wishes and expectations of the people, and that a measure of less extent than this would not have been sufficient for that purpose. He did not think that such would have been the case, for he believed, that the country in this case, as in all others that had occurred for many generations, would have been led by the Parliament, and would have placed perfect reliance on the wisdom and integrity of the Legislature. The object of the noble Lord and the Government appeared to have been, to adopt that system of Representation which appeared to them best in theory, rather than to have considered how much, and what changes, the interests and feelings of the people actually required. It had frequently been observed, with respect to the population of the large towns, that the lower class of voters were not proof against the influence of corruption, but were open, in a peculiar degree, to the influence of hasty and ill-judged impressions. His noble friend spoke of the intelligence and knowledge prevailing in the large towns; but it appeared to him that his noble friend greatly overrated this, as well as the effect that it would have. It ought to have been the object of Ministers to have framed a measure which would have been most likely to produce the system of Representation best adapted to the present state of the country, and not that which would merely qualify large masses of the people to vote. From the very circumstance of their being constantly engaged together, and congregated in large masses, the inhabitants of the large manufacturing towns were apt to adopt extravagant notions, and to act in an absurd, if not a dangerous, manner—in proof of which assertion, he would merely refer to the No-Popery and Cheap-Bread and No-Corn-law mobs of our own time. It might be said, that the inhabitants of the towns were more intelligent, and, generally speaking, better informed, than the people of the country. He was not inclined to dispute that; but he was well assured, that excitement in the country never bore any proportion to that which existed in large towns. He utterly denied the principle of his noble friend, that an increase of numbers would produce a more independent body of electors. He was sure, if his noble friend referred to the experience of past ages, he would find, that corruption had often prevailed to a greater extent in the larger than in the smaller towns. In the cases of Liverpool and Dublin, the grossest corruption and the most barefaced bribery existed? Was it not recorded in the evidence laid on the Table a few days before, that in the city of Dublin, at the recent election, no less than 150 persons were guilty of the grossest corruption, accompanied with the greatest fraud? Again, in the case of Liverpool, the bribery was not committed with hundreds, but with thousands of the voters, and he believed the hon. Member behind the noble Lord (Mr. Ewart) could furnish very accurate and very serious information on this point. He was old enough to remember the celebrated Westminster election in 1784, when Mr. Fox contested the Representation of that city. Between 9,000 and 10,000 voters were polled, and when the parties were nearly balanced, the bribing was carried on in the grossest and most open manner, and to an extent until then unexampled. After this, could it be contended that corruption would not prevail in large constituencies? In all places where the parties were nicely balanced, however numerous the constituency might be, corruption would exist. It was a very favourite doctrine with some persons, that those who offered the bribes ought to be punished, rather than those who received them, and if persons were prevented from offering bribes, corruption would not prevail. But he remembered the reply of Mr. Windham to the observation of another Member—"That the constituent body was corrupt from the top to the bottom." "You would speak more correctly," he answered, "if you said that the constituency was corrupt from the bottom to the top." It might be said, that this measure would prevent corruption being so great in the small boroughs: he had doubts on that point. For instance, in the paper intituled *Further Information*, lying on the Table of the House, it was stated, that the borough of Wallingford contained 287 resident householders, and of these 218 were 10*l.* houses. Now it was notorious, that in this place a single vote had been sold for 20*l.*, and a double vote for 40*l.* And as there were 210 persons who would be entitled to vote as occupiers of 10*l.* houses, he wished to ask, even with the addition of the few voters that would be taken from the surrounding districts, whether there was any increase of security against the prevalence of corruption? Would this Bill destroy the present character of the borough, and prevent the sale of a single vote for 20*l.*, or of a double vote for 40*l.*? or would it prevent the "Miller," as he was there called, from going round to distribute the wages of corruption among the voters? He had never been an admirer of the system of scot-and-lot voting—and he knew that many Members had expressed the most violent objections to it—but he believed the system of 10*l.* householders would be so near to scot-and-lot voting, that it would be liable to all the objections that could be urged against the latter, with the additional one, that it would induce the occupiers of houses of less than 10*l.* value, to commit a collusive fraud, for the purpose of obtaining the right of voting. He was sure that this would be the case in the large towns; and in places like Wallingford, the very circumstance of having the privilege of returning Members to Parliament, would occasion the rent of every house to be equal to the sum proposed as the qualification. According to the document to which he had already referred in that place, the circumstance of receiving a bribe at the election for a vote, is an inducement to give a higher rent for a house; and thus, houses that in other places would not let for 5*l.* or 6*l.* a-year, in that town let for upwards of 10*l.* Suppose that in one of the large manufacturing towns, a manufacturer had a number of houses let to his workmen at a rent of from 5*l.* to 6*l.* a-year; if he was desirous of commanding a number of votes, how easy it would be for him to raise the rent of those houses to 10*l.*, and, at the same time, give each man 2*s.* a-week additional wages. A combination of a few masters, under such circumstances, might obtain complete control over the return of Members; and he was afraid, that this practice would be carried to a much greater extent than the noble Lord anticipated. He was satisfied, also, that this system would lead to the utter demoralization of the people in the smaller boroughs; introducing a system of bribery and corruption, that would be attended with the most pernicious consequences. It had been well and truly said, that the money thus received never did any good to the receiver; on the contrary, it did much harm, for it encouraged habits of idleness, and disregard to a man's independence. He was aware that what he had said was not likely to have the slightest effect on the votes of the Members, but he felt, that it was his duty to point out the probable effects of the clause to the House, and to enter his solemn protest against it.

Lord *Loughborough* said, he must protest against the whole of this clause, which in its effects would be, he feared, most disastrous to all ranks in the community. He could never believe the Bill would be ultimately satisfactory to the people, and he believed, that the great majority of the lower orders considered it only as a stepping-stone to Universal Suffrage. Nothing could be more unfair than to make the payment of rent the test of independence or property. The man in a small borough, paying 5*l.* or 6*l.* a-year, might be more independent than those who paid 10*l.* in populous places. Persons with 200*l.* or 300*l.* a-year in such places lived in houses under that value. Men of limited income were naturally disposed to get a house at as low a rent as they could. Now the tendency of the Bill was, to exclude this class from the right of voting. He knew that many operatives in Nottingham had small pieces of garden-ground near the town, and he was certain they would be obliged, if this Bill passed, to give up their gardens. They could not hold both house and garden together. As he could have no hope of succeeding, he would not propose an amendment: but he must protest against that part of the clause which made it necessary for the voter to have paid up his rent before he voted. The consequence would be, to increase the expense to the candidates; and the rent as well as the rates must, ultimately, be paid by them. In this view he supported the member for Preston, because he thought him right, and he believed him to be honest. By allowing joint occupiers to vote, they opened the door to all sorts of fraud. Returned, as he was, free and independent, by the borough of Great Grimsby, he must enter his protest against this most unnecessary, most revolutionary, and most Republican, measure.

Clause agreed to. House resumed; Committee to sit again on the following day.

HOUSE OF COMMONS,

Saturday, August 27, 1831.

MINUTES.] Returns ordered. On the Motion of Mr. MAXWELL, the report made by Major Bushe to the Lord Lieutenant of Ireland, respecting the conduct of the Yeomanry at Newtownbarry.

Petitions presented. By Mr. W. A. WILLIAMS, from the Inhabitants of Newport (Monmouth), praying to vote for contributory Boroughs at the place of residence of the Voters. By Mr. PRINGLE, from the Farmers frequenting Jedburgh Market; and from Landholders of the county of Kincardine, against the use of Molasses in Distilleries and Breweries; and from the Burgh of Selkirk, against the proposed union of that place with Lanark and Falkirk, under the Scotch Reform Bill. By Mr. ESTCOURT, from the non-resident Freemen of Worcester, complaining, that the Reform Bill would disfranchise them altogether, and praying to retain their privileges. By Mr. BLACKNEY, from the Inhabitants of Paulstown, for disarming the Yeomanry of Ireland.

THE NEW BEER ACT.] Sir Charles Lemon presented a Petition from certain Parochial Clergymen in the county of Cornwall, complaining of the operation of the above Act, and moved that it be printed.

Mr. *Hume* said, that in the present instance it would be a satisfaction to him, to have the rule of the House broken which forbad the printing of petitioners' names. He understood that fifty-four clergymen had signed this petition, and thus proved the warm interest which they took in gin-shops.

Sir *Edward Sugden* said, that nothing could be better calculated to excite a bad feeling throughout the country, than the observations of the hon. member for Middlesex. The petitioners had come forward, as they had a right to do, to express their disapprobation of a measure which from the beginning he was apprehensive would not work well. The experiment was forced on the late Government by the Gentlemen who formerly sat on his (the Opposition) side of the House. They would continue to support it, whether it worked well or ill. But was it to be endured, when Gentlemen, who had an opportunity of witnessing the daily operation of the measure, came forward to complain of it, that they should be stigmatised, and their names handed over to the speakers at Political Unions? Was it fair to say, that a man was an advocate for gin-shops, because he thought that the experiment of the new beer-shops had not succeeded? Was it, he asked, fair, to cast an imputation of this kind on any body of men, particularly the clergy? Surely the hon. Member could not wish to degrade the clergy of the Established Church in the eyes of the lower orders. Whether or not such was his intention, his observations were calculated to have that effect.

The *Speaker* said, that matter to which the hon. and learned Gentleman had addressed his observations, had nothing to do with the motion before the House, which was, that the petition be printed. If the hon. member for Middlesex should propose a motion of the nature to which he had alluded, and it should be seconded, then would come the time for discussing it. If a new system of printing petitions was to be adopted, it could only be done upon motion.

Sir *Charles Lemon* said, that the petitioners were not licensing Magistrates, nor proprietors of houses. In short, they were in no way concerned in the monopoly of public-houses, and therefore they were not liable to the imputation which the hon. member for Middlesex had cast upon them.

Mr. *James* thought, that persons who petitioned for a proper object need not object to have their names made known.

The Petition to be printed.

REFORM PETITIONS.] Mr. *Wilks* presented a Petition from Mr. Charles Pearson, of the city of London, praying that the House would introduce into the 22nd clause of the English Reform Bill, certain words, to protect the rights of the widows and daughters of freemen. The petitioner stated, that he had lately had occasion to observe, that the right which the widows and daughters of freemen possessed of giving to the persons whom they married the privileges of freemen, was much valued by those who enjoyed it. The hon. Member said that he had communicated with Government on the subject, and found that they had shown a liberal disposition to meet the wishes of those who appealed at once to their gallantry and justice.

Mr. *Lennard* supported the petition, and gave notice, that he would move the insertion of certain words in the 22nd clause, which would have the effect of preserving the rights of those female connections of freemen.

Sir *Edward Sugden* said, that when it was known, that the right in question operated as a marriage portion, he was sure the House would not be so uncourteous as to deprive the ladies of it.

Sir *Charles Wetherell* hoped, that when these words were inserted, the city of Bristol would not be forgotten, where the ladies had now the privilege in question. He was glad to find, that as people became better acquainted with the Bill, the feeling in its favour abated in Bristol.

Mr. *Wilks* said, that the words intended to be proposed, and which had received the sanction of his Majesty's Ministers, would extend to all boroughs.

On the question, that the petition be printed,

Lord *Althorp* submitted, that, as there was a general rule, that petitions signed by a single individual should not be printed, except on particular occasions, there was no reason that this petition should be printed.

Mr. *Protheroe* said, that he felt it necessary to make one observation in answer to the hon. and learned Gentleman, who had stated what he believed to be the present state of feeling in the city of Bristol, with regard to the Bill. His (Mr. Protheroe's) female constituency was as large, he believed, as that of most hon. Members; and, although their feelings were in favour of retaining the rights of widows and daughters of freemen, and granting those rights to their husbands, the feeling of the people of Bristol in favour of the Reform Bill was not decreasing. On the contrary, if there was anything for which they condemned his Majesty's Government, it was, that it had not pressed the measure with more unrelenting perseverance. It was only owing to his representations, that a petition had not been presented, complaining of the delay which had taken place, in language so strong, that, perhaps, it would not have been admissible.

Sir *Charles Wetherell* said, that he spoke from his knowledge of Bristol, as senior Alderman of the borough, and in that capacity had taken an oath to maintain the rights and privileges of that city. He therefore thought, he had a right to see that nothing was done contrary to the charter, although he never interfered in the general business. If the hon. Gentleman had abstained from presenting a petition in favour of the Bill, he had presented two petitions against it, and he could say, that the Bill stood by no means so high in the barometer of Bristol as it had done.

Petition laid on the Table.

Mr. Blamire presented a Petition from the freeholders of the county of Cumberland, against the clause for the division of counties, and for conferring the right of voting on tenants at will of 50*l.* a-year, which, they represented, had deceived and betrayed them, and would hand them over to the aristocracy. It was altogether calculated to produce the worst consequences to the farmers. They also expressed their fears, that the towns in schedule B would become close boroughs. The petitioners concluded by praying that those clauses might not be carried into effect.

Mr. *Philip Howard* supported the petition, and agreed in thinking, that the concession of the elective franchise to tenants at will, would, in many instances, stifle the voice of the free constituency of counties. To the agricultural interest he conceived it would be no boon, as it would have the effect of deterring landlords from granting leases, and it was quite evident that one single bad season would place the tenant at will completely in the power of his landlord; still the concession would be less objectionable if not coupled with the clause for the division of counties; that measure would sink the spirit and destroy the unison of feeling in counties; it was considered as a partial disfranchisement, whilst it went to remove those landmarks, those boundaries, which had endured from the time of Alfred, and which were associated with every feeling of patriotism.

Mr. *Cresset Pelham* felt himself called upon to defend the respectability of tenants at will. They were by no means a destitute class of persons; he knew many of them to be men of opulence.

Mr. *Philip Howard* said, that he had not impugned the respectability of tenants at will. He had only asserted, that one bad season placed them completely in the power of their landlords. He was surprised that any friend to the agricultural interest could have proposed to give them the right of voting.

The Marquis of *Chandos* said, that he was a member of the agricultural interest, and he thought, that the Amendment which he had made in the Bill was calculated to prove most beneficial to that interest.

Mr. *Hughes Hughes*, in rising to offer a very few remarks on one branch of the subject of the petition, would take the opportunity of assuring the House, and his Majesty's Ministers, that notwithstanding what had been publicly insinuated to the contrary, he was as sincere a friend to the great measure now before the country, and as anxious not to create unnecessary delay, as any Member of the House. It was with the sole object of saving the time of the House, by preventing the renewed discussion of his motion with respect to the division of counties, that he would offer a few words on clauses 23 and 25, as proposed to be amended. While he sincerely congratulated the House on these Amendments, which, as far as they went, he most heartily approved, he was anxious to suggest two or three further alterations, which might render the clause for the division of certain counties comparatively unobjectionable. He would propose that the Commissioners should make a separate report of their opinion, not determination, as to the manner in which each of the counties enumerated in schedule G should be divided; and that every county, the report with respect to which, even after revision and amendment, should not be adopted by Parliament, should remain entire and undivided, and should, in future, return four Members. He would only add his hope, that his Majesty's Ministers would consider these suggestions, which were offered in all sincerity, worthy of their serious consideration, before the clauses in question came under the consideration of the House.

The Petition was ordered to lie on the Table.

ACCELERATION OF THE REFORM MEASURE.] Mr. *Hume* said, he would, as shortly as possible, introduce to the House the motion of which he had given notice, with respect to the distribution of business, and the hour at which, under existing circumstances, the House ought daily to assemble. He was well aware that any hon. Member who attempted to introduce a system, with regard to the course of proceedings in that House, contrary to that which had long prevailed, ought to be able to advance very strong reasons in support of his proposition. Many Gentlemen, who had not had the same experience in the House which had fallen to his lot, might think, and indeed did think, that the rules and orders which governed the proceedings of the House at present, were complex and unnecessary; and in the truth of that proposition he was inclined to agree. In his opinion, the fullest and fairest latitude of discussion should be allowed to every question that came before them. It appeared to him, that no discussion that ever took place on any subject that was introduced to the House could be considered unnecessary—because it was right, that the utmost care should be taken to give to every person an opportunity of stating his sentiments, for the purpose either of defeating, or supporting and improving any given measure that came under their consideration. With that conviction on his mind, it might be asked, why he was about to propose an alteration in the existing system? He meant to propose no alteration with reference to the stages of a bill, but only with respect to the time to be selected for its consideration. According to the principle on which discussions proceeded in that House, no day was originally fixed for Orders; but he who was able to catch the eye of the Speaker might bring forward any measure with which he was connected. He thought, however, that a subsequent Resolution, by which Orders of the Day and Notices were specified to have precedence of each other on stated days, was conducive to the despatch of business. That Orders of the Day should take precedence of Notices of Motion, on certain days, was an annual Resolution of the House; an order placed in their hands, which they might alter or vary as they pleased, in considering the most effectual means of expediting the business before them. Since he came into Parliament, two days had been set apart for orders; and Tuesdays, Wednesdays, and Thursdays were generally left open for notices. In this session an innovation was made, by agreeing that Wednesday should also be an order day. Thus it stood, that Mondays, Wednesdays, and Fridays were order days, when orders were to take precedence of notices, and Tuesdays and Thursdays alone were appropriated to notices; since which Saturday had been added, not permanently, but on account of the pressing business at present before the House. At present, therefore, notices of motion, no matter what the importance or unimportance of the subject, might be brought forward on Tuesdays, Thursdays, and Saturdays, so as to stop any proceeding in furtherance of the Reform Bill. This had occurred on Tuesday last, when the motion of the hon. member for Cricklade wholly occupied the time of the House, and prevented them from making any progress with the Reform Bill. Now, knowing that much time must yet be occupied in the discussion of this Bill, knowing also the anxiety of the public mind for its completion, he would ask, whether it was not fitting that they should adopt measures to expedite and press forward that important Bill? Was it not known to every Gentleman, that, in consequence of this Bill, all public business in that House was at a stand? They had not been able to legislate on the subject of wines, of sugar, of stamp duties, and a long list of other important questions remained untouched. No one public measure connected with the trade, the commerce, and the finances of the country, had been brought forward in this session, and he would venture to assert, that none could be brought forward until this great and paramount measure, towards which the attention of the whole empire was directed, was settled and disposed of. They were sitting there, pretending to transact the general business of the country; but they were not transacting, and could not, under existing circumstances, transact that business. Would it not be better, then, if they devoted their whole force and energy to this one question, and avoid other business till it was finally settled? They then could, with far greater advantage proceed with the general business of the nation. That they ought to proceed thus, was not his solitary opinion; it was the opinion held by many thousand intelligent people. A general meeting had been held at Bristol, at which a petition was agreed to, calling on that House to proceed with the question of Reform, to the exclusion of debates upon (in comparison with that great question) petty interests. He had at home two petitions from London to the same effect. In short, in every part of the country there appeared to be a simultaneous wish, on the part of the people, that such a measure as he was about to propose should be adopted. If it were not adopted, the consequence would be, that the whole business of Parliament, public and private, would be stopped, and the mischief to the country would be incalculable. There was not one of the measures connected with the finances and commerce of the country that ought to be passed without the fullest and fairest discussion; and he would ask hon. Members—he would ask the Chancellor of the Exchequer, with the experience of the last five weeks before him, what hope he had that subjects vitally affecting the interests of the country could, in the present moment of excitement, be calmly and carefully discussed? If he now asked the House to depart from its usual course of proceeding, it was only for a time—it was only until this most important Bill was disposed of. The King, in the exercise of his royal prerogative, dissolved the last Parliament, and called a new one, for the purpose of taking the opinion of the country on this measure; and, he believed, in the hope of carrying this measure. Was he not, then, justified in asking the House to proceed earnestly and seriously to the decision of that one vital question, for the consideration of which he would say, that Parliament was almost specially assembled; and, by the decision of which alone, they could hope to proceed successfully with the other public business? With respect to the delay which had taken place, he did not mean to challenge the motives of any hon. Members for the part they had taken in the course of the discussion. Every hon. Member had an undoubted right to adopt that course which he conceived to be most fitting, either in furtherance of, or in opposition to, any measure that was brought before the House. Still it could not be denied, that great and most inconvenient delay had taken place, and it appeared to him, that the business would be best disposed of by that House meeting earlier, even, if it were necessary, at ten o'clock in the morning, when men had their faculties about them, instead of proceeding to business after dinner, as many hon. Members were in the habit of doing. He did not mean to insinuate anything unfair or improper. But he would ask, whether, after a good and plentiful dinner, or without any dinner, a man was likely to be in a fit frame of mind for legislation? Though this was the second Parliament to which this question was submitted, still he would assume, that the discussion in both Sessions took place on the same Bill. Now, looking to the number of hours and days which the House had been employed about this, the first, Bill—considering the immense portion of time that had been taken up, and the small progress which had been made—recollecting that there were three Bills to be discussed, and he supposed that they must be passed, or settled in some manner, before Parliament separated—calling these circumstances to mind, it appeared to him, that if, hereafter, they proceeded with no greater rapidity than they had already used, that a whole year would not be sufficient for the completion of their labours. He would now briefly, from a calculation which he had made, point out to the House the time that had already been consumed in debating this measure. The motion for leave to bring in a Bill, which was brought forward on the 1st of March, 1831, was debated for seven days. The motion for the second reading occupied two days, and that for going into a Committee also two days. There were thus eleven days' debate on the question in the last Parliament, and the number of hours consumed was ninety-two. In the present Parliament, the motion for introducing the Bill was made on the 24th of June. The debate on the question for the second reading occupied three days, that on going into Committee two days, and they were now in Committee twenty-nine days, making a total of thirty-four days' debate in the present Session, the number of hours consumed being upwards of 250. A great deal of labour and time had thus been expended to little purpose in the two Sessions. The average duration of the debates was seven hours a day in this Session, and they had now only arrived at the twenty-first clause of the first Bill. In the two Sessions, they had debated for no less than forty-five days, and consumed 342 hours and a half in the consideration of this measure, and yet they had made comparatively little progress. After this statement, he would ask whether, at this rate of proceeding, there was any hope of their finishing the Bill now before them, and the two other Bills, in the course of the present year, unless more time were devoted to the subject—unless Gentlemen were called on to attend the House at an hour when they were fresh for work—and unless hon. Members abstained from interposing other questions for debate? He knew very well that, even if his proposition were agreed to, it would be in the power of any hon. Member, on the motion "that the Speaker do leave the Chair," to defeat his object, by moving, as an Amendment, any question which he might think proper to introduce. But if that were the case—if any hon. Member by that means arrested the progress of the Bill—there would be at least this consolation, that the House and the country would know who that Member was. He admitted, that he had himself interposed a motion of very great importance, relative to the allowing Representatives to the colonies, which occupied the House three hours the other evening. He admitted the fact; but, important as the subject was, if he had been aware, at the time, of the consequences which followed from the example that he had thus set to others, he certainly would not have interposed that motion. He had, however, all through these debates, except on that one occasion, been silent. During these 350 hours of debate, he had not, he believed, taken up five minutes of the time of the House. Considering the state of excitement in which the country was placed, knowing that hon. Members began to perform their present duties with reluctance and regret, and that they looked forward almost with dread to the prospect before them, he thought that he was warranted in calling on the House to come to that speedy result which he recommended. There was no other mode likely, in his opinion, of arriving at that speedy result, except the one which he now proposed. If he succeeded in his first motion, he should then submit a proposition as to the hour at which the House should daily meet. He knew it would be said, that Gentlemen would find it very difficult to attend in their places for twelve hours. For his own part, he had often found it necessary to attend for twelve hours, and that, too, without dining. He saw no difficulty whatever in the House meeting at twelve, and sitting till the same hour; Gentlemen would have ample opportunity for dining, and, as they pleased, some could indulge for a shorter, some for a longer, time. He was well aware, that it was impossible to submit any proposition of this kind to which some objections might not be offered; but, under all the circumstances, they were, he thought, warranted in making the trial. He would say, let the House meet at twelve, and let no petitions be presented, on five days of the week, except such as regarded this vital question. He would say, let the general public business stand over until this paramount measure was settled. His proposition was, "that Tuesdays, Thursdays, and Saturdays, should be Order Days." The effect of this arrangement would be, that Monday would be open for discussion of any kind, and there would be five days left for the despatch of the Reform Bill, the House meeting at twelve o'clock each day. It had been suggested to him, that if the House met at twelve, they might proceed till six in Committee, with the Reform Bill; that the Speaker might then take the Chair for an hour, to receive petitions, and that the consideration of the Reform Bill might afterwards be resumed. But if the main proposition were agreed to, it would not be difficult to settle the details. The hon. Gentleman concluded by moving—"That in this present Session of Parliament, all Orders of the Day, set down in the Order-book for

Tuesdays, Thursdays, and Saturdays, shall have precedence of all notices set down for those days."

Mr. O'Connell seconded the Motion.

Lord *Althorp* observed, that for himself he would fairly and openly say, that it did not appear to him that the Motion which his hon. friend had made would have any great effect in expediting the business of the House. There was one class of persons, those connected with public business, to whom the proposition for meeting at twelve o'clock would be extremely inconvenient. Individuals placed in his own situation would frequently find it difficult to comply with such a regulation. He did not say this with reference to any inconvenience to which he might be put. He was perfectly ready to encounter that inconvenience, if it were the wish of the House, or the desire of those who were anxious for the success and the speedy progress of the Bill, to adopt the proposition of his hon. friend. He very much wished, however, to hear the opinion of the House on the subject.

Mr. *Herries* reminded the noble Lord, that the motion before the House did not relate to the hour of meeting, but to the giving precedence to orders on three additional days.

Lord *Althorp* said, he objected very much to the mode and form of that proposition, especially as the benefit that was contemplated by its adoption could be secured in a different mode. If the House sat at twelve o'clock on those days, they might proceed for a certain number of hours, till three or four o'clock, with the Reform Bill, like a Committee up-stairs, and afterwards take notices. He could not consent that Orders of the Day should entirely exclude Notices. He conceived that such a proposition was objectionable in principle, and would not be beneficial in practice. The preferable mode would be, to go on in the early part of the day, for a certain number of hours, with the Reform Bill, and then to proceed with other business; before proceeding further, however, he would much prefer to hear the opinions of other Gentlemen.

Mr. *Herries* said, the noble Lord had acted most candidly and fairly to the House. He had expressed his desire, before proceeding further, to hear the opinion of the House on the hon. Member's proposition. He, however, believed, that it was the universal wish of the House to listen to the opinion of the noble Lord in the first instance. He gathered, from what had fallen from the noble Lord, that he was really opposed to both parts of the hon. Member's proposition. He concurred entirely in the observation of the noble Lord, that the early meeting of the House was not likely to promote that acceleration of business which the hon. Member expected. When the noble Lord stated, that so far as he was concerned, he was ready to make any personal sacrifice to the discharge of his duties in that House—that he was willing to bear the additional fatigue which the necessity of coming down to the House at twelve o'clock must inevitably impose upon him—when the noble Lord said this, he (Mr. Herries) must observe, that there were two parties to be consulted upon that point. Not only the noble Lord and his colleagues, who would be required to come down to the House to discharge their parliamentary duties, but the great body of the public. The interests of the public service must be consulted, and he was certain they would greatly suffer if such a plan were carried into effect. If he knew any thing at all of the duties of public office—if he, by his limited experience, was at all competent to form an opinion on that subject—then he would contend, that great public inconvenience must be the necessary result, if a Minister of the Crown were obliged every day to come down to that House at the hour proposed by the hon. Member. Very serious inconvenience must accrue to the public service if such a system were admitted. Upon these public considerations, and leaving out of the question those of a personal nature, as connected with the convenience of individuals in office, he could not agree to the second proposition which the hon. Member intended to move if he succeeded with the first. The first proposition, which was now before the House, laid it down, as a general and invariable rule, that orders should always, at least in the present Session, take precedence. In this he could not concur; and even if the Resolution were agreed to, it would avail nothing; because, in practice, it would be competent for any hon. Member, at any time, to interrupt this arrangement; and, on an infinite variety of occasions, it might be proper, and sometimes indispensably necessary, for Members, in the pursuit of important information to interfere with it. Were they to be prevented by a Resolution of this kind from making inquiries with respect to subjects deeply interesting to this great country? Were they to be precluded, when events of the utmost importance were passing before their eyes, from making motions connected with the public service, and with the public policy? When cases of the utmost urgency arose, were they to remain silent, because, forsooth, there was one subject to which alone their attention should be directed, and which must, therefore, take precedence of all others? This was an entirely mistaken view of the case —a false and erroneous estimate of this subject, as compared with many others which were of a more pressing nature. The Reform measure was not one of immediate operation, but of prospective improvement. It could not be carried into effect in a day, but would take a long time, if it ever were agreed to, before it was matured and called into operation. There was, he contended, business of much greater and more pressing importance before the House—business which much better deserved to be attended to *instanter* than this Bill deserved to be passed *instanter*. If it ever were passed, it was to be hoped that it would first assume a more intelligible form—that it would appear with fewer "imperfections on its head" than were at present observable in it. The hon. member for Middlesex said, that he imputed to no Gentleman a desire to encourage unnecessary delay, and he was sure that the hon. Member had meant what he said. Now, the noble Lord had observed, that, in his opinion, early attendance would not promote the object of the hon. Member—that of expediting the Bill. But it was, he supposed, not only the object of the hon. Member to pass the Bill, but also to pass it in as perfect a form as possible. How, then, was that object most likely to be effected? Unquestionably, by bringing to its consideration the greatest possible amount of talent and knowledge. If this were the case (and who could doubt it?) then he would say, that the plan proposed, for meeting at twelve o'clock, was more likely to defeat that object than to forward it. There were a great number of Gentlemen, who could give valuable assistance in effecting that object—namely, in rendering the Bill more perfect—who could not come forward if the hon. Member's proposition succeeded. Those Gentlemen did not possess the Herculean strength of the hon. Member, which enabled him, without any inconvenience to labour night and day. Although possessed of as sound a judgment, and of as acute faculties, as the hon. Member, although they were perfectly capable of affording great assistance in the discussion of the Bill, yet they were physically unable to undergo the hardship that would be imposed on them, if they were called on to attend every day at twelve o'clock; and, therefore, the Bill would pass without that temperate but extended discussion, which every one must wish that it should receive. The hon. member for Middlesex stated, that out of 350 hours which were passed in debating the Reform Bill in that House, he had only taken up its time about three hours. The hon. Member, however, had added another hour this evening; so that he had occupied four hours altogether; and if every other Gentleman in the House occupied as much time, instead of 350 hours, the debates on this Bill would have occupied 2,630 hours. Though the hon. member for Middlesex, therefore, took credit to himself for having occupied so little of the time of the House, it was quite clear he had his fair share of the discussions on this Bill. He put it to the noble Lord opposite, whether it was advisable to press the measure to a sudden termination, when it was acknowledged that the Bill was at present in an imperfect state. He agreed with his right hon. friend, the member for Tamworth, that the discussion of the measure should be deferred for the present; their object should be, not so much to accelerate the progress of the Bill, as to render it perfect, or at least as free from imperfections as possible. But the noble Lord and his colleagues advocated the measure, not that they conceived it a wise one, but that it was necessary to satisfy the wishes of the people. They said, that nothing less than this Bill would satisfy the people. But the Members of the Opposition differed from the noble Lord and his colleagues, both on the wisdom of the measure, and the extent to which the people desired it to be carried. The people were now wiser, and entertained more rational opinions on the subject, than three months ago. If the noble Lord would consent to postpone the measure for another three months, according to the suggestion formerly made by his right hon. friend, and permit the public mind to dwell coolly on the matter, he was ready to say, that the noble Lord would not venture to assert at the termination of that postponement that the people would not be satisfied with any thing short of that Bill. At all events he was convinced, that the people, after they had given the subject mature consideration, would see the folly of the measure. The people would then cease to be influenced by the delusion which had been practised on them, and the House would decide upon the merits of the measure by their own unbiassed judgment, without being influenced by the inclinations of the people. He was anxious to express his opinion, and to offer his advice upon the subject. He would assure Gentlemen opposite, that if he were in the situation of the noble Lord and his colleagues, he would act precisely as he had recommended them to do. By postponing this question, they would be better able to ascertain the real sentiments of the people. He should certainly dissent from the Motion, as he thought it would prove an injury to the public service, and an unconstitutional interference with the functions of the House.

Sir *John Newport* could not suppose that either the right hon. Baronet, the member for Tamworth, with whom the proposal originated, or the right hon. Gentleman who had just repeated it, could be in earnest when he proposed the adjournment of the discussion on the Reform Bill for three months.

Mr. *Herries* rose to order, and complained, that the right hon. Baronet was putting an erroneous interpretation on a proposition which he assured the House he had urged most seriously and sincerely.

Sir *John Newport* thought he had a right to put his own interpretation on the right hon. Member's proposition, and he confessed it appeared to him to be too ludicrous a proposition to be entertained for a moment by any one who had the carrying of the Reform Bill at heart, though he admitted it was natural enough coming from those who wished to defeat that great measure. What occasion was there to have recourse to an adjournment, to discover the sentiments of the people on the question? It was stated in the King's Speech from the Throne, that the motive for dissolving the last Parliament was, to ascertain the sense of the people on this subject. The people had already expressed their opinion of the Bill in a constitutional manner, but not, perhaps, in a way agreeable to the right hon. Gentleman. He was not at a loss to discover a reason for the right hon. Member's anxiety for delay. Members for nomination boroughs were no doubt anxious to protract the period of their existence in that House; for when that Bill passed, the right hon. Member, and several other hon. and right hon. Members, might find it difficult to get back again into that House. He thought the measure of Reform one of paramount importance, and entitled to have precedence of every other. In his opinion, if they met at twelve o'clock in the day, they would be in a much better condition, both with regard to health and temper, than they could be by sitting up until one or two o'clock in the morning. He thought that other subjects should give way to this important question, which was called for by the anxious wishes of the people, who were every day more and more desirous of seeing it brought to a successful issue. No man who knew the feelings of the people, could assert, that it would not create great irritation and exasperation if the further discussion of the Bill was postponed for three months. It being his anxious desire to satisfy the just wishes of the people on this subject, he should give his hearty assent to the motion of the hon. member for Middlesex.

Mr. *Herries* could assure the right hon. Baronet, that he was perfectly serious in making his suggestion; and he could, also, assure that hon. Member, that he never had made, and never would make, a suggestion which he did not seriously think deserving the attention and support of the House. He hoped that the right hon. Baronet would, therefore, see the propriety of withdrawing the imputation he had thrown out on him, of not being serious.

Mr. *Keith Douglas* thought that meeting at twelve o'clock, so far from facilitating the progress of the Reform Bill, would render the discussion of it interminable. He objected to deferring to public opinion on the subject, as the noble Lord seemed inclined to do; and he recommended the noble Lord to adhere steadily to the rules and practice of the House. As well as adopt the proposition of the hon. Member, they might suspend all the Orders of the House, and send the Bill to the other House at once; but if that were done, would the people be satisfied that the measure was a good and proper measure? He knew, that many Gentlemen who were sent to the House to press the Bill thought the measure not so perfect as it ought to be. That was a common opinion among its supporters. They, however, hurried the Bill on, wishing, he was afraid, to throw all the odium of rejecting it on the other House of Parliament, which was neither just nor fair. In society the Bill was generally condemned, and therefore he did not approve of hurrying it through the House. As it was proposed to sit all day and all night, there ought to be a double Chairman and a double set of Members; for he did not conceive, that any set of men could hold out without some rest or relaxation.

Mr. *Protheroe* thought the proposition of the hon. member for Middlesex reasonable. He would have no objection to postpone other matter, with a view to expedite the Reform question. He would, however, recommend that an interval of two hours should be allowed for dinner, after which they would be better prepared to resume business [*a laugh*]. Though Members might smile, it was, notwithstanding, necessary that their wants should be supplied. He would support the Motion.

Lord Apsley moved as an Amendment on the motion of the hon. member for Middlesex, that the Order of the Day for the House resolving itself into a Committee on the Reform Bill, be now read.

Sir *Charles Wetherell* rose to second that Motion, as he could not say, that either of the other propositions before the House had his approbation. Even the noble Lord, the Chancellor of the Exchequer, admitted that meeting at twelve o'clock in the morning would not facilitate the business which he thought should supersede all others. The hon. member for Bristol (Mr. Protheroe) thought they should sit from twelve in the day until twelve at night; but then they must have a parenthesis to dine in. The parenthesis, however, would be long or short, according to the strength and appetite of the diners, and he much doubted whether the discussions would always be carried on so satisfactorily, or so quietly, after this parenthesis. Seriously, however, he thought it would be a loss of time, and that whether their sitting was in the day or at night, it ought to be continuous. His chief objection to the motion of the hon. member for Middlesex was, that it would put the discussions of that House entirely under the control of Ministers. If such a motion was agreed to, the deliberative functions of the House of Commons would be superseded, and its independence prostrated and made vassal. But there was another objection to the Motion. Supposing the Bill was to pass, when was it to be carried into effect? The towns were not yet made—the counties were not divided—the commission for determining on these matters was not yet appointed. No elections, he ventured to assert, could take place under this Bill for at least twelve months after it had passed; and why should the House be called upon to adopt an unprecedented and unconstitutional proceeding, in order to facilitate the discussion on a Bill, which must lie by for ten or twelve months after it was passed before it could be carried into operation? But then it had been said, that this Parliament was called expressly to pass the Reform Bill. That, however, was a most unconstitutional doctrine. The Crown could not call a Parliament to pass any measure. The principle was, indeed, adopted in the tyrannical age of James 2nd, when the Crown dissolved one Parliament to call together another, which it was intended should become the creature of the Crown; but he hoped so bad a precedent was not now to be acted upon. The right hon. Baronet, the member for Waterford, had stated, that the call for the Bill was every day more urgent; that the public impatience for its passing was rapidly increasing; in short, that the public was more than ever enamoured of the Bill. He should be glad to know, however, where the right hon. Baronet picked up his opinion as to this increased amatory disposition. It certainly was not on the banks of the Liffey, for the city of Dublin, which, three months ago, sent two stanch Reformers, had now returned two Anti-reformers. It might be said, however, that this was only an evidence of the change of public opinion in Ireland; but had not the same change manifested itself at the recent elections in England? At Weymouth an Anti-reformer was returned; and at the late election for Great Grimsby, two Members who had been smitten with the love of the Bill were superseded by two others by no means enamoured of it. But it did not rest here. Even the Livery of London, and he wished to speak of all persons with respect, but the livery of London, which was about to meet a few weeks ago to petition Parliament to accelerate the Bill, and was about to cashier one of its Representatives for voting for inquiring into a part of it, had sent down two of its Representatives last night to protest against clause twenty-one, which would let in upon the citizens an influx of voters, under the description of lodgers, who, without taking upon themselves any part of the civic burthens, would enjoy all the rights of the freemen in voting for representatives. The two worthy Aldermen had properly protested against such an infringement on the rights of the city, and properly called upon his Majesty's Ministers to alter the clause so as to protect the rights of the citizens. The Bill, therefore, he believed was rapidly retrograding in public opinion everywhere, even in that *primum mobile* of liberalism, the meetings of the livery of London. One word as to the hon. member for Middlesex, who took so much credit to himself for not lengthening the discussions on the Reform Bill as much as other hon. Members had done. If the hon. member for Middlesex had thought fit to be so abstemious as that he only spoke three or four hours on the Reform Bill, he had indulged pretty freely, and he (Sir C. Wetherell) admitted, very usefully, on the various other topics connected with the army and navy, and every branch of finance. Three or four hours was but a small proportion of the time which the hon. member for Middlesex occupied, properly and usefully, in discussing questions in that House; no matter whether the subject was wine or Windsor Castle—beer or Belgium—sugar or soap—molasses or militia—

Mr. *Hume:* Or Chancery fees.

Sir *Charles Wetherell* thanked the hon. Member for that hint, and he would give him another alliteration for it, Church or Chancery fees—tea or tithes—there were no two subjects, whatever might be their discrepancy in initials, or their alliterative qualities, which the hon. member for Middlesex had not constantly spoken upon, to the great benefit of the public, but with no inconsiderable expenditure of the time of that House. The hon. Member, therefore, had no right to take credit to himself for not speaking very often on the Reform Bill, or to complain greatly of others who had done so. He could not help remarking, that hon. Members who had spoken on this motion had noticed all other speakers but the Speaker in the Chair. His health seemed to have been unattended to, and yet the House ought to have some consideration for the fatigue undergone by Mr. Speaker. The House was entreated to be more diligent; but he would remind the hon. member for Middlesex, that there was a diligence called the *socordia diligentiæ*, which, by affecting to do something, did nothing at all. The House would not preserve its own dignity if it permitted external pressure, from any class of persons whatsoever, to have any influence on its proceedings.

Sir *John Newport* said, that the hon. Gentleman had put words into his mouth which he had never used. He had never stated, that the Ministers of the Crown had caused Parliament to be dissolved in order to pass the Reform Bill. What he had stated was, that his Majesty had dissolved Parliament in order to ascertain from the people what was their opinion upon this momentous subject. That was his statement, and he repeated it. He would leave it to the House to judge how far it was the object of the senior Alderman of Bristol (Sir Charles Wetherell) to promote or retard the Reform Bill.

Lord *Althorp* said, that he had before stated, that he felt considerable doubt whether a sitting in the morning would accelerate the progress of the Bill. He did not think it possible, that the House would be able to do more by sitting in the morning than it did now, when it gave daily about eight hours continuous attention to the Bill. He could not agree to exclude entirely all other questions; but it had been the case that other questions had been, in some degree, excluded. It was best at once to state what had really prevented the House giving eight hours a day constant attention to the Bill. It was, that there had been long discussions and debates on petitions, without any immediate result. That had frequently prevented the House beginning business at five o'clock, as had been intended. If that could be avoided, the House would gain much time. Would the House proceed more expeditiously in the morning than in the evening? The House had had some experience of morning sittings. They did make some progress on one or two Saturdays, when they postponed questions upon which discussion was likely to arise; but, when that was not the case, the advantage was not so great as some Gentlemen had imagined. Having stated this, he wished to be guided by the feelings of the House. When he talked of pressure, he did not mean the pressure out of doors: the pressure on him was pressure in doors. Many Gentlemen thought, that a great advantage would be gained by sitting in the morning, and he felt some deference for the opinion of those Gentlemen. His own opinion was, that if the House was really to commence business at five o'clock, and sit till one or two in the morning, business would proceed as quickly as if the House sat at one in the afternoon. He wished that the hon. member for Middlesex would withdraw his motion, upon the understanding that in discussing petitions, Gentlemen would not go to so great a length as to interfere with the public business. The hon. and learned Gentleman opposite had made an allusion which it was impossible to omit noticing. He had alluded to the labour which the Speaker underwent. No man appreciated the exertions of the Speaker more than he did; but, practically speaking, this question did not increase the labour of the Speaker to the degree that it would if the House was not generally in a Committee.

Sir *Robert Peel* wished he was able to exercise some influence on his side of the House. That influence would then be exerted in favour of the suggestion of the noble Lord, for he never saw business conducted in a manner which more entitled the individual conducting it to every deference. As it was quite evident, that the sittings of the House were protracted to this season with reference exclusively to the Reform Bill, he would take the liberty of earnestly advising every Gentleman, as far as he felt it consistent with his duty; to avoid every other business which should interfere with the progress of the Reform Bill. He considered that it was not only convenient to Members, but advantageous to the public interests, that Gentlemen should be enabled to return to their seats in the country. That object could only be effected by devoting as much attention as possible to the Reform Bill. He hoped, that the example set by Ministers would be followed, and that the suggestion to curtail the debates should be adhered to. He had not the slightest objection to meet at twelve o'clock; but it was a dangerous experiment to make, and a great interruption of existing habits. Even now the House got sometimes so bewildered with the introduction of words into the clauses—particularly when the Chairman had the first edition of the Bill, and the rest of the House the second—that it was often impossible to know what words were to be introduced. If the House closed its sittings at eight o'clock in the evening, four or five hours would be lost, because the habits of the House had been formed upon the plan of sitting till one o'clock. Let the noble Lord persevere in the course he was now taking—let him appeal to the House in the way he had now appealed to it—and he (Sir Robert Peel) would venture to say, that not a single Member would be found to oppose him.

Sir *Francis Burdett* never heard the hon. Baronet with so much satisfaction as he had heard him on this occasion. He had come to the House with his mind made up to support the Motion of the hon. member for Middlesex; but, after what had fallen from the noble Lord, he rose to express a hope that the hon. member for Middlesex would not persevere, but withdraw his Motion, and thus terminate the discussion in a way the most desirable.

Mr. *Briscoe* promised the House he would take up a very short time. [The hon. Member made several efforts to proceed, and, as often as he repeated the words "If I rightly understand," he was interrupted by a prolonged and united cry of "Oh," which stopped all further attempts to speak.] He merely wished to know, whether it was the intention of the hon. member for Middlesex to withdraw his Motion. If it were his intention, he (Mr. Briscoe) would not trouble the House.

Mr. *Hume* felt at all times anxious to meet the wishes of the House, but when he found that the hon. Members who opposed the Motion were those who opposed the meeting on Saturday, he thought their opposition was only to stop the progress of the Reform Bill. If he thought that by the adoption of his proposal, the Bill would be impeded, instead of promoted, he would not for one instant press it. It was because he thought this the only way in which the measure could be carried forward, that he was anxious his Motion should be acceded to. After the request of the noble Lord, he undoubtedly felt pain in proceeding. The grounds the noble Lord had stated for the postponement of the Motion, were the very grounds upon which he (Mr. Hume) pressed it. He could not comply. After the manner in which the Chancellor of the Exchequer had expressed his opinion, he would leave it to the House to decide as they pleased.

Mr. *Briscoe* said, it was his opinion, and he had been anxious to express it, that the Motion before the House had been misunderstood, it being a Motion, not for sitting at twelve o'clock, but that the Reform Bill should take precedence of all other business on five days of the week. He should recommend the Ministers not to take any advice from the opposite side of the House, however friendly the Gentlemen opposite might profess to be. Their conduct ought to put Ministers on their guard; and if Ministers were misled by advice from an enemy, it would be their own fault, for his own part he would say,

> —"timeo Danaos et dona ferentes."

Colonel *Wood* hoped, as the hon. Member refused to withdraw his Motion, that he would undertake, if he carried it, to attend in his place, because, during the discussions on the Reform Bill, the hon. member for Middlesex had been more absent than almost any other Member of the House. The hon. member for Middlesex had said, that Members went to dinner, and never returned. He could not help thinking that the hon. member for Middlesex had refrained from taking part in some questions most materially affecting his constituents. The hon. member for Middlesex was absent when the question as to 7,000 copyholders was, at one o'clock in the morning, forced through the House. He permitted two Members to be given to Surrey, and two to Kent, without saying one word for Middlesex, though an additional number of Members might fairly be given to the county of Middlesex. He hoped the hon. member for Middlesex would resume his old position, and abandon the place he had taken at the Bar, where he acted the part of Under-Secretary to the Treasury—marking Members in and marking them out—pairing Gentlemen off, and so on; very useful occupations, but not generally performed by a county Member.

Mr. *Lawley* rose to order. The gallant Gentleman's speech had nothing to do with the question, but was merely a personal attack upon the hon. member for Middlesex. He wished to know how far this applied to the question.

The *Speaker* said, that if the hon. Member had asked him how much of the discussion for the last hour and a half applied to the question, he should have been compelled to say, a very small part of it indeed.

Colonel *Wood* observed, it was of no consequence to him personally at what hour the House met. The Ministers were the persons chiefly interested, and he should support them whichever way they voted.

Mr. *Hume* wished to say a few words, after the charges brought against him by the gallant Colonel. He never before heard a Member make a speech so altogether unreasonable, and altogether untrue. He challenged the gallant Colonel to point out any division, with the exception of one, where he was absent. It was true, that during three days he was extremely unwell. The other part of the charge, that he neglected his constituents, was equally incorrect. He had his instructions from the hustings what to do. He told his constituents he should support the Bill, and, as the Bill then was, do every thing in his power to press it through the House—even if his Majesty's Ministers, as they now did, were slack in their proceedings. When they called upon him to give a pledge, he rejected that pledge. As far as regarded his constituents, he was meeting their wishes, and acting as they desired. He was in the House every day the House met. He belonged to four Committees, and had always been at one of those Committees. He would venture to say, that he was even at prayers as often as the gallant Colonel. He thought his charges altogether unfounded. First, he said, that he had been absent; and then added, that he had been at the bar.

Colonel *Wood* hoped the hon. Member would recall one word he had used—"untrue." He did not mean that the hon. Member was absent from the House; but that he was absent from his usual place, and did not take part in the discussion.

Mr. *Hume:* What the gallant Colonel had stated was unintentionally untrue.

Lord *Althorp* could not let one expression which had fallen from the hon. member for Middlesex pass without observation. The hon. Member had stated, that because Ministers were slack, he should press his motion. But he would appeal to the House and the public, whether Ministers had shown any slackness in forwarding this question. If he did not agree with his hon. friend in the proposition he now made, it was not because he was slack in wishing to press this measure forward, but because he did not think that the Motion would have any such effect. On that ground he wished the hon. Member not to press his motion to a division, as he appeared determined to do. He thought the measure would be got forward without the proposed change in the hours of sitting. He was, however, given to understand, that the hon. Member intended to press his motion, and he must even risk the imputation of slackness, or any other imputation which might be put upon him; but he would not be deterred from doing what he thought right, and it was, therefore, with regret (for he knew what he should render himself liable to) that he should vote against the Motion.

Mr. *C. W. Wynn* said, that the moderation and temper with which the noble Lord had endeavoured to expedite the passing of the Bill, was the only efficient way in which it could be expedited; any other course of proceeding would generate a factious spirit, and tend to increase the delay.

Mr. *Labouchere* was satisfied, that the good temper and good feeling with which the noble Lord had conducted the Bill, had done more to expedite its progress than hon. Gentlemen were aware of. It was impossible to over-rate the noble Lord's services. He thought it particularly the duty of the Reformers to express their opinions on the subject. If the public knew how much the noble Lord's conduct had tended to promote the success of the Bill, they would acknowledge the obligations they were under to the noble Lord. He came down to the House prepared to support the Motion, but, after listening to the discussion, he was convinced that, by supporting it, he should, in truth, be doing nothing to forward the measure. It must be obvious to every one that the House could not sit to transact real business for more than eight hours a day.

Lord *Ebrington* denied, that there was the least ground for charging the Ministers with slackness in their exertions for carrying the Reform Bill. The steady manner in which the noble Lord below him had supported the principles of that Bill, through good report and through evil report, ought to have screened him from such an imputation. He thought, that the discussion which had taken place clearly proved, that they should gain nothing if the motion were carried, and he should therefore recommend the hon. member for Middlesex to withdraw it.

Mr. *Hume* was ready to admit, that he had committed a lapse in saying, that the Ministers were growing slack in pressing the Bill. He ought rather to have said that such an impression prevailed out of doors, which certainly was the fact. He could assure the noble Lord, the Chancellor of the Exchequer, that no one could hold his character for integrity and consistency in greater estimation than he did, and that he should be the last man to say any thing in disparagement of the noble Lord. After all that had passed, and particularly after the recommendation of the noble Lord who spoke last—than whom there was not a better reformer in the House—he could not help feeling that he ought to yield, and withdraw his motion, though he did so with great regret, since the discussion of it had now occupied two hours.

Motion withdrawn.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-THIRD DAY.] The House went into a Committee on the Reform of Parliament (England) Bill.

Mr. Bernal was about to read the 22nd clause, when,

Mr. *Estcourt* said, that as his Amendment went to get rid of the clause altogether, and must come in after the words, " be it enacted that," he should at once move that Amendment which was—" That nothing herein contained shall be construed so as to take away, or in any way to abridge or affect any corporate or other right of voting for Citizens or Burgesses to serve in Parliament, save and except only such rights as appertain to boroughs enumerated in schedule A." This, it would be observed, preserved the existing rights of all freemen and corporate bodies, and prevented them from expiring with their present possessors. In order, however, to make his Amendment consistent with the framing of that particular part of the Bill which provided for the registration of voters, it might be necessary to add "Provided, also, that no person shall be permitted to vote at any election for any Citizen or Burgess, to serve in Parliament, unless he shall have been duly registered after the manner prescribed in another part of this Bill." This Amendment could not interfere with the principle of the Bill, and it only dealt with the voters in cities and boroughs as the Bill dealt with voters in counties. He did not see why the rights of voters should not be permanently preserved in cities and boroughs as well as in counties, and if the Ministers were sincere in the desire they had expressed to increase the constituency of the country, he did not see how they could oppose his Amendment. The professed objects of the Bill were, to allay the evils of nomination, returns by close corporations, and the expense of elections. The first was attained by disfranchisement, the second by making additional voters, and the third by taking their votes from non-residents. He hoped the House would bear in mind, that the Government professed not to interfere, further than to attain these desirable objects. The Amendment he had to propose, would by no means disturb these views; he only wished to preserve the right of voting to members of corporate bodies attached to the places enumerated in schedule B, and the effect probably would be, to add in each of them thirty or forty voters to the 300 to be provided through the operation of this Bill. As the enlargement of the constituency was another professed object, he thought his proposal rather tended on the whole to carry the measures of Ministers more completely into execution. It had been stated by the noble Lord, when he introduced the Bill on the 1st of March.—"It has been a point of great difficulty to decide to whom the franchise should be extended. Although it is a much-disputed question, yet I believe it will be found, that in ancient times every freeman, being an inhabitant householder resident in a borough, was competent to vote for Members of Parliament. As, however, this arrangement excluded villains and strangers, the franchise always belonged to a particular body in every town—a body undoubtedly possessed of property for they bore the charges of their Members, and on them were assessed the subsidies and taxes voted by Parliament. But when villainage ceased, various and opposite courses seem to have been pursued in different boroughs; in some extending the liberal principle, that all freemen were to be admitted; householders of all kinds, down to the lowest degree, and even sometimes beyond, were admitted; in others adopting the exclusive principle, that strangers and villains were no part of the burgesses, no new corporations were created, and the elective franchise was more or less confined to a select body. These differences, the House will be aware, have led to those complicated questions of right which we are every week called upon to decide, and I think no one will deny, that our election Committees often have brought before them, and been obliged to settle, questions that are at once the most vexatious, the most difficult, and the most useless."* From these premises, the noble Lord argued, that it was expedient to adopt one uniform course, and simplify the whole system. The statement relating to the difficulties was, he thought, rather exaggerated by the noble Lord. He had examined the records of former elections, and had found, that not more than four cases of this description were, upon an average, to be decided on after each election. These data did not furnish sufficient grounds for the sweeping alterations proposed to be made. It was, unquestionably, a most desirable object, to abate every difficulty in deciding questions relating to disputed rights, but it was an odd way to effect this, to abolish rights that had been long settled, and were thoroughly understood, and substitute a new mode of voting, so complicated, that after the many explanations that had been attempted of it in that House, it was not yet understood by many hon. Members, of whom he professed himself to be one, and which he believed would increase the number of disputed cases four-fold, without any precedent to guide them in their solution. He wished to uphold all ancient privileges, but to apply an antidote to the corruption of close Corporations. The rights which it was proposed now to abolish in towns, were, those of voting in respect of freeholds, copyholds, leaseholds, and burgage tenures, all of which were to be done away, and the right was to be transferred to the 10*l.* householder. The people were attached to their rights, not from any corrupt motives, as had been calumniously declared, but they admired and revered, and loved them for their antiquity. This was the fact. As they had been handed down from father to son, from generation to generation, so the people desired that they should continue to descend to the remotest posterity. How many an honest tradesman felt himself elevated in dignity and importance, by being elected to the office of Chief Magistrate, which, although honorary, was a great incentive to industry and good conduct. Such persons would, no doubt, inhabit a house, to entitle them to a vote under the new qualification, but he wished such individuals as he had described—and the members of most Corporations were of that character—to have votes in virtue of their office, which should be continued to their successors. They had allowed this in the county constituency, by the 40*s.* freeholders being suffered to retain and perpetuate their franchise; he only desired the same favour to Corporations, many of which had never abused their rights and privileges. Thinking this clause would inflict gross injustice on the class of persons he had referred to, and on Corporations generally, he would press the Amendment he had already proposed.

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* Hansard's Parl. Debates, vol. ii. Third Series p. 1069.

Sir *Charles Wetherell* said, he approved generally of the Amendment, but did not like the condition of registration attached to it. The noble Lord (Lord John Russell), the merit and the zeal of whose services he was ready to acknowledge, was presented by the city of London with a gold box, having inscribed on it, the words "Magna Charta and Reform." Now, by Magna Charta, the franchises of all cities, towns, and boroughs, were to be inviolably preserved. The noble Lord, therefore, could not accept of the double compliment paid him by the city, and if he accepted the Reform, he must give up Magna Charta. He objected to the personal disfranchisement of voters, on the same ground that he opposed the disfranchisement of boroughs in schedules A and B. Previous to the introduction of this Bill, he never heard any objection to the mode in which corporate rights of election were exercised, except on the ground of non-residence, and the consequent expense to the candidates. These were the only arguments he ever heard advanced in support of this part of the Bill. His hon. and learned friend (the Attorney General), told them the other night, that the wider the constituency was spread the better, and the greater chance there was of independence. Maldon contained from 3,000 to 4,000 electors, the greater part of whom would be disfranchised, on the ground of non-residency. It was only by a mere accident, that he was not now Representative for the city of Oxford. He was well acquainted with that place, and he could state as a fact within his own knowledge, that four to one of the freemen of that city would not be entitled at all to vote by this Bill, because they were lodgers. This commutation into 10*l.* householders would in Oxford, and in all cities and large towns, greatly diminish the number of voters. In fact, the Bill was not yet at all understood, and it was impossible it could be, altered and re-altered as it had been in every part by Ministers. They were presented that day, with quite a new set of alterations in a separate sheet, or what printers called a fly-sheet. Bristol, Lancaster, and London, would be in the same predicament as Oxford, and it seemed as if the measure only now began to be truly understood in the city. He would put it to the noble Lord and the right hon. Gentlemen opposite, who he supposed had votes for the Universities of Oxford and Cambridge—he would ask them, why Masters of Arts not resident should be entitled to vote, while non-resident freemen of cities and boroughs were robbed of their rights? The Bill, as it first stood, disfranchised nine out of ten of the members of the Universities, but a clause was afterwards introduced to save them. Why, then, rob other non-resident voters of their rights because they happened to be manipulating painters, plumbers, glaziers, or any other class of tradesmen? He confessed himself utterly unable to discover upon what ground it was, that Masters of Arts, belonging to either of the Universities, should enjoy the right of voting though non-resident, and that freemen of towns should be robbed of that right, on no other ground, than because they happened to be non-resident. Why allow the right to remain in an Attorney General, a Chancellor of the Exchequer, a First Lord of the Admiralty, or a Paymaster of the Forces, and deny it to a tradesman, who obtained his living by honest industry?

This measure took away not only the rights of non-resident freemen, but of such as were inhabitants of cities and boroughs; whilst the corresponding franchise in counties was preserved, thus making a distinction for which no argument had been adduced, and at the same time inflicting an injustice upon commercial people. He did not mean to deny, that some inconvenience and great expense had been experienced in bringing non-resident voters to the poll, but that evil might be remedied by a separate enactment, without the necessity of such a sweeping disfranchisement. Surely the existence of a defect did not invalidate the right, but yet, instead of attempting a remedy, the noble Lord and the supporters of the Bill, proceeded at once to the annihilation of the right altogether. Instead of the pruning-knife, they used the axe, and whilst they professed a wish to plant and propagate the tree of freedom, they were, in fact, cutting it down, by the extinction of rights and liberties which had been long, and he would say beneficially, used by a large and respectable body of Englishmen. Now a great deal had been said of the necessity of having respectable voters, and those who made the remark ought to be consistent, and, like him, to keep in mind the respectability of non-resident freemen. Thus, in whatever way the Bill and the arguments used in support of it were viewed, they presented nothing but inconsistency and injustice, and the promoters of it would soon find, that it could not answer even their own expectations. The Bill, however, was by some designated as another Magna Charta; and the noble Lord opposite had a gold box lately presented to him by the Corporation of the city of London, on which were inscribed the words "Magna Charta and Reform." But if the present Bill passed into a law, which was not quite certain, he was sure the noble Lord would have to drop the words "Magna Charta," if not "Reform." It had been said, that this Bill was popular; he believed it was becoming less so every day; in fact, he began to think it was becoming unpopular, for it was now seen, that under the mask of extending popular rights, it extended those of the higher orders, whilst it annihilated or abridged those of the lower classes. Of all the clauses in the Bill, he thought the one before them the most obnoxious, and it should have his opposition; while the Amendment of his hon. friend, with the exception of the latter part, which, as it was not necessary, he hoped his hon. friend would strike out, should have his cordial support

Lord *John Russell* observed, that there was nothing he admired more in the conduct of the opponents of this great measure than their versatility. After opposing one clause, on the ground of the Bill being obnoxious, they turned round and opposed another upon a totally different ground. The hon. and learned Gentleman opposite, now stood up for the freemen, and complained, that the Bill gave privileges to the higher classes, whilst it destroyed those of humbler men. The hon. Member, when he made that statement, must himself have forgotten what he had said a few nights ago, when he deprecated the flood of democracy, with which he said the Bill would deluge the country. One or other of the grounds taken by the hon. and learned Member must be indefensible, which he should leave to the hon. Member to decide. The hon. Member who proposed the present Amendment, had treated it as if it were altogether an act of disfranchisement, and in consequence of that, he (Lord John Russell) begged to call the attention of the Committee to the distinctions which had been made between this part of the Reform Bill and the former part of it, namely, the boroughs contained in schedule A. With regard to nomination boroughs, his Majesty's Ministers had thought, in certain instances, that there was no medium to be adopted and that, if it were wished to destroy nomination, those boroughs must be destroyed altogether; but with regard to the persons having at present the right of voting, it was to be observed, that, according to this clause, there was no person having at the present moment the right of voting, or any freeman now alive, whose rights would be seriously injured by the present Bill. The question therefore was, whether, having established by the 21st clause, a new right of voting for all cities and boroughs in England, the House would extend that right to persons not now in existence, combining with them the present existing rights. The objection to that was, that rights of this description were liable to the greatest abuse, and that, if they were permitted to exist, it would be combining with the 10*l.* householders, a set of voters who would be created for the purpose of influencing elections, and would take from the rights of the fair electors. He was one who looked with great regard to the scot and lot right of voting, but that right was exercised very differently in different places. In large towns, however, it was exercised very usefully, but with respect to them, the 10*l.* right of voting was of a very similar nature to the scot and lot. With regard to the smaller boroughs, however, he could not look upon the scot and lot right of voting in the same light, for it was notorious, that there were no places where corruption existed more than in those small boroughs. He must contend, that by the present Bill, while they preserved the much-lauded primitive principle of voting of the old system, they established it in such a manner, as to secure for the future its better exercise, and shunning that multifarious, and consequently uncertain system which now prevailed, they re-built the Constitution on such a foundation of equity and justice, as to ensure the happiness and contentment of the people. Let the House for a moment examine what were the opinions of those writers who had taken up the subject of the right of voting, respecting the system as it now stands. What had been stated on the subject by Lord Glenbervie? That writer stated—"The origin of that diversity which we observe in the right of voting for Representatives, in different boroughs, is a subject of curious disquisition, but cannot be explained with any degree of certainty. It may be conjectured, that in some instances the right was limited to a particular class of men, by the King's charter, under which the borough derived its title to send Members to Parliament; for our Kings claimed and exercised the prerogative of conferring that important privilege, down to the end of Charles 2nd. In other instances, where the city or borough began to choose Members from the first epoch of Representation, without having received any Royal Charter to regulate who should elect, it is probable all those were admitted to vote who were deemed capable of giving a free suffrage. Hence we find, the right of election in some places confined to particular members of the Corporation, and in others, common to the inhabitants at large. In some cases, perhaps, the Sheriff, who long exercised a very great discretionary authority, as to borough elections, prescribed who the persons should be who were to concur in the choice." Such were the rights of voting established in certain boroughs in olden times; such were the rights which they meant to preserve sacred and inviolate. If he found it necessary to prove, that our ancestors, in the distribution of Representation, allowed themselves to be guided more by circumstances and partiality, than a desire to preserve uniformity in the granting of the elective franchise, he could quote a very decided case, where two towns were enfranchised by Charter on the same day, but so different were the provisions of the Charters, that the principle of the right of voting was as distinct as possible. But it was needless for him to argue that point. The fact of the injustice and impolicy of this form of the elective franchise, did not require the aid of any argument. It was as clear and undisguised as the sun at noon day, and any attempt to make it more apparent must be useless and ineffectual. Before he sat down, he could not refrain from making one remark, respecting an observation of an hon. Member opposite, in the course of the debate on the Resolutions of the Dublin Election Committee. It was said, on that occasion, that the Bill would open a wide field for bribery at elections, that it would encourage it infinitely more than the present system, and that those who were its advocates in pointing out the instances of bribery which existed, did not seem to apprehend what would take place when the measure was in full operation. Ministers had been accused of looking after the flies and disregarding the vultures. He denied that statement, for Ministers were, and always had been, desirous, (which was the object of their present measure,) to destroy those vultures which were preying on the rights of the community. He thought, when the present Bill had become a law, there would not be found any of the degrading practices in existence to which he referred. He could not sit down without alluding to what the hon. Member had stated, with respect to the box which had been presented to him by the city of London, with the words "Magna Charta and Reform" upon it. What could induce the hon. Member to introduce that topic, at the present moment, or what it had to do with the present debate, he was at a loss to conceive. Part of the rights, however, of the city of London were preserved by Magna Charta, and he trusted those rights would still be preserved for ages. Though one of the intentions of Magna Charta was, to preserve the privileges and liberties of the city of London, yet there were greater objects intended to be accomplished by it. It was most undoubtedly intended to accomplish the freedom of this country. The King and the Nobles, seeing the necessity of the times, and seeing what Englishmen deserved, and what they ought to have, established their freedom, and gave them a written record which might be handed down to all future generations. He did not mean to say, that the measures which they now introduced would last as long as that great document; but, nobody could doubt that this measure effected a change, a change greatly to the advantage of the freedom of the country, turning that which had been monopoly and usurpation, into common right and common enjoyment. In those respects, therefore, it resembled Magna Charta. He felt proud that the citizens of London had discovered that resemblance, and he should always cherish the present with which they had honoured him; for he must be allowed to tell the hon. and learned Member opposite, that all his reasoning had not convinced him that the words were wholly inapplicable.

Sir *John Malcolm* would never consent, except on the greatest emergency, to such a sweeping alteration as was proposed by the present Bill, in a system by which this country had been so long governed; and he contended, that no such necessity had been shown to justify the present measure. He begged to remind the House, that all the benefits promised by this Bill were but conjecture, while all those who objected to it did so on a comparison with great periods of history, and upon a conviction that the country had hitherto derived the greatest benefits from our Constitution. He was confident that there was nothing more inconsistent with the principle of the Bill itself than the 10*l.* clause. He was confident that this Bill would not be considered a final measure. Would not the children of freemen hereafter look for the restoration of their privilege? If they did not they would not be Englishmen. He did not mean to say, that some abuses had not been committed, but he would ask, what human system had ever been made perfect? Such abuses were no argument for the destruction of ancient institutions, and of those municipal rights, which ought never to be interfered with, unless under some pressing necessity, and after most mature deliberation. These rights might be disregarded by some; the House might look with contempt on the bit of ermine that trimmed a Mayor's gown, and also with contempt at small Corporations; but if the existence of all such institutions, and the privileges attached to them, had been an incentive to virtue, they ought to be still continued, as affording objects of honourable ambition. He should, therefore, support the motion of the hon. member for the University of Oxford, and he implored Ministers to examine with attention every proposition that might have the effect of securing the peace and tranquillity of the country.

Mr. *Bayntun* concurred in some of the observations which had fallen from the hon. member for the University of Oxford, and said, if he trespassed upon the attention of the Committee for a few minutes, it was because he considered it his bounden duty to do so, representing a numerous constituency of the class alluded to in the Amendment. He concurred in the view of the Government, as regarded the disfranchisement of the non-resident voters, which appeared to him one of the most beneficial provisions of this present Bill, but he could not comprehend upon what principles of necessity his Majesty's Government could propose to disfranchise the future actual inhabitants of large towns of their rights, bound up as they must ever be in the trade and prosperity of the places in which they resided. That class of voters, enjoying the privilege of voting by freedom, was estimated at nearly 300,000, whose posterity, children, and apprentices, were to be politically sacrificed by the measure as it now stood. It was true, he had been told by the noble Lord, that they were to have their rights preserved to them for the period of their lives, and that some of the same description of persons enjoying the freedom, would be voters under the new system. Now he admitted, that they were not called upon, in the constructive clauses of this Bill, to give to the lower classes the elective franchise, but he thought they ought to be exceedingly cautious in taking away the franchise from those who now possessed it, and thus removing that connecting link of political feeling between the lower and middle classes of society, which might be so effectually preserved by the maintenance of the rights of industrious freemen of large towns. He was aware, that many hon. Members in that House considered that description of voters less public-spirited, less fit to be intrusted with the elective franchise, than the 10*l.* voter under the new system; he would therefore refer them to the uncontradicted statements made on the debate of the preceding clauses, of the hon. member for Preston, whom he did not now see in his place, that the 10*l.* voters would be, to a great extent, in many places, the lowest description of persons, and he instanced the parish of Lambeth in proof of this assertion; and he would say to those hon. Members, that he thought the freemen not less fit to be intrusted with the elective rights than the lowest description of people who were about to enjoy the 10*l.* franchise, and who could not, therefore, be deemed more respectable than any of the freemen of large towns, both classes being, in his opinion, alike obnoxious to the other charge—namely, the probable effect of corrupt influence. He would take this opportunity of expressing his satisfaction at the observations which fell from the noble Lord, the Paymaster of the Forces, the other evening, with reference to this Bill not being a final measure; and he was pleased to find that noble Lord pledging himself not obstinately to adhere to all the provisions of this Bill, should they really prove unsatisfactory to the country. Now, to his constituents, the clause under discussion would prove very unsatisfactory; and, anxiously wishing to see the principles of this Bill carried into effect without delay, at the same time he assured the noble Lord, that he felt it an imperative duty to call his attention to these points, and that he would unhesitatingly again assert, that a very numerous and honest portion of the people resident in great towns, who had exercised their rights in an upright and independent manner, ought to have them preserved. Surely it was but a poor return for that patriotism evinced by the industrious freemen of those towns at the late election, now to deprive them of a privilege which they wished to see extended to their fellow-citizens, thus making it a transfer, and not an extension of the franchise. The rights for which he contended had been enjoyed for a long series of years—they had been, and were, regarded as the invaluable birthright of the persons possessing them. Votes by servitude were granted for good conduct for a term of years, and both had generally been exercised in a manner meritorious and uncompromising. In support of that he appealed to the fact, that, amongst all the complaints and petitions which had ever been preferred against the elective system, no charge had ever been brought—no complaint had ever been made—against the open constituencies, the numerous bodies of resident freemen of large towns, who were to be deprived of their rights—not for any crimes, but in return for their public spirit—of rights which they had done nothing in the world to forfeit, and which they had lately exercised to further the views of his Majesty's Government. He was as much opposed as any member of the Government could possibly be to a system of nomination; but he was no less opposed to a system of spoliation, which took not from the decayed boroughs and petty Corporations, but from the large and public-spirited constituencies, the most invaluable of the rights of Englishmen, in violation of justice—in violation of one of the professed principles of that very Bill—the extension of the franchise, and that even without the plea of expediency. It was with regret, that he considered it his duty to occupy the attention of the Committee, and to appear to wish to retard the passing of the Bill, which he had supported in every division, except that of the noble Lord, the member for Buckinghamshire, to the detriment of the consideration of several other most important interests; but he could not refrain from offering his opposition when he saw the resident freemen of all the large towns, and his own constituents, about to be deprived, without the most absolute necessity, of what he considered their indefeasible and indubitable rights. He should consider it, therefore, his duty to oppose that part of the clause of the Bill.

Mr. *Trevor* expressed his intention of concurring in the motion of the hon. member for the University of Oxford, as he was the Representative of a large and numerous body, whose rights were affected by the operation of this clause. He conceived it unjust to deprive freemen of a privilege they had obtained wholly by the sweat of their brows, a privilege which created an honourable spirit of emulation, and by obtaining which a man not only secured the right of voting to himself, but handed it down to his posterity. A right so obtained was as much the property of the freemen as was the coronet of the peer. The Government made their boast that the Bill was to give general satisfaction to all parties; but he would ask, how could it give such satisfaction when this clause proposed to spoliate an honest and respectable class of electors of their franchise, under the pretence that they were a body likely to be corrupted. Probably that might be the case in some instances; but were they to look upon the successors prepared for them as persons not likely to be so influenced? Were the holders of a 10*l.* tenement, or the weekly tenant of a lodging-house to be looked on as patterns of purity, for to such persons was the franchise to be transferred? He was convinced, if this clause of disfranchising freemen was allowed to stand as part of the Bill, it would do more to occasion dissatisfaction than anything which had occurred. After 10*l.* potwallopers should be admitted to vote, no respectable voter would be able to give his vote, unless it was for the candidate who might be the idol of the mob. The present clause, which disfranchised freemen, he considered unjust, and if there was anything like constitutional feeling on the Ministerial side of the House, they would not press a clause which would make them odious from one end of the country to the other. He should certainly support the motion of the hon. member for the University of Oxford.

Mr. *Bolton Clive* said, the freemen of Hereford had sent him to Parliament, well knowing the course he should take on this measure. He supported his Majesty's Ministers in their efforts to pass the Reform Bill. He did so from a firm conviction that such a measure was required by the country, and absolutely necessary. Such had been the impression on his mind since the period when he was a member of the Society of Friends of the People. He had always been impressed with the necessity of stopping a usurpation of the rights of the people. The question before them appeared to be, whether they should in effect insert permanent into the clause, or confine the franchise to the existing freemen for their lives only, which he approved of. It had been further suggested, that persons living in the vicinity of the places they were privileged to vote for, should not be considered as non-resident. He was of opinion, that the general principle of the Bill required that such persons should be disfranchised. He held it to be one of the greatest merits of the Bill, that the franchise was given to 10*l.* householders, who were a better constituency than the present race of freemen. The outlying voters were the cause of the great expenses of elections, and he regretted non-residence was not a bar to freeholders voting as well as freemen. He thought it would be a compliment, and would not materially affect the value of the constituencies to be created, that the Corporations should retain and be allowed to perpetuate the right of voting. The Bill gave the right of voting to persons resident within seven miles. How was that distance to be measured? If twelve miles were allowed, it would take in the whole county of Hereford, with which he was connected, and he believed such an arrangement would be satisfactory, although he might himself desire to see the electors confined to the place they were to vote for.

Lord *Althorp* was ready to inform his hon. friend how the distance was to be measured. There was a mode of measuring which was the shortest they could adopt, namely, the measurement of the Courts of Law. It had been decided in Courts of Law, that the way to settle a distance was, to take the nearest road by which a man could ride from any one place to any other. The proposition of the hon. member for the University of Oxford was at variance with the principle of the Bill. The objection stated by the hon. Member, namely, that they were about to disfranchise a large body of freemen, could not apply. The Bill did not disfranchise any one in existence. There was no disfranchisement of large numbers of persons, as had been said. The principle only concerned non-residents, who were seldom found in bodies. In no case did they object to a considerable number of voters retaining their rights. The provision applied only to persons unborn. It was impossible any person, looking at the present state of elections, should not consider the votes of non-resident freemen who were brought from various places at a great distance and at much expense, as a great evil. It was a door open to bribery and corruption. When they gave a man his expenses going to vote, they could not limit that expense. The voter often said, "you only offer me 5*l.* for my expenses, but your opponent offers 10*l.*" This was the attempt to accomplish bribery which too often prevailed. Any person who objected to bribery must object to non-resident freemen. There was, perhaps, not a Gentleman in that House who had not been sorry for the existence of non-resident freemen; and he was convinced the abuses under that system of voting called for Reform. With respect to resident freemen, the question stood on different ground. They ought to consider what the Bill did in that respect. It did not disfranchise any resident freemen, or one who lived within seven miles from the place, although it would disfranchise those freemen who did not in future after the present class was extinct reside in 10*l.* houses. In large towns few resident freemen would be disfranchised, for it had been often asserted by hon. Gentlemen who now complained of the abolition of freemen's rights, that the qualification in such places was so low as almost to admit of Universal Suffrage. It would, therefore, be only in small towns that there would be any partial disfranchisement—not of the present electors, however, for they were not to be disfranchised, but they were not to transmit the right to their descendants. If corporate rights were preserved, it would enable Corporations to increase the number of freemen to any extent, for the purpose of opposing 10*l.* householders. And the Ministers had substituted that class of electors for the present, because in their consciences they believed they would be found a better description of constituents, and much less liable to corruption, than those now in existence. For these reasons he must oppose the Amendment.

Colonel *Sibthorp* fully concurred in what had been said by the hon. members for Oxford and Durham. Expense had been talked of; that was true; his pockets, or rather his empty pockets, could tell that; but still he trusted, that he had encountered no expense that was not authorized by Acts of Parliament. The hon. member for Hereford had said, it was his bounden duty to say a few words because he represented a populous city; on the same principle it was his duty to say a few words also. Although he considered it his duty to advocate the cause of freemen, resident or non-resident, he went the length stated in the opinions of the members for Aldborough and Durham, and should contend that it was nothing less than spoliation to take away those rights. The noble Lord the Paymaster of the Forces who had brought this measure into the world, said, the House was not to be governed by charters; but those charters were entitled to respect from the Sovereign himself. He could not consent to destroy those rights which had been earned by the sweat of the brow. There might be Members of that House who were freemen in Corporations, and were they to lose their franchise because they happened, in the discharge of their duty, to be sitting in that House six months? Non-resident voters were as proud of their rights as the noble Lord could be of his celebrated gold box.

Mr. *Hodgson* said, the noble Lord had declared, that no person, would be deprived of their personal rights who were at present living: he was ready to acknowledge this was a boon when so many privileges were to be destroyed. The noble Lord had expressed fears, that by the creating of voters by Corporations, if they were allowed to remain, the freemen might overpower the new constituency to be created; but perhaps the freemen might be the most respectable. The freemen of Liverpool had been constantly held up, in support of the noble Lord's opinion, but he rather considered that place as an exception than as an example. In the town he represented, 500 freemen, out of a constituency of 3,000, would by this measure be disfranchised. He therefore approved of the Amendment. If they excluded freemen from the right of voting, Corporations would of course fall, and he saw no reason why Magistrates should be elected who were not considered worthy to be freemen.

Mr. *John Campbell* said, that no one could vote for the amendment of the hon. member for Oxford, without voting for the continuance of every absurd and fantastic mode of obtaining freedom. Were they still to have freedoms and assignments of burgage tenures brought to the poll, with the wax not cold, or were they to continue the right of voting, as at Weymouth, upon the fourth part of a sixpenny rent?

Mr. *Wrangham* suggested the propriety of postponing the discussion.

Colonel *Wood* could not vote in support of the right of non-resident voters.

Mr. *Hughes Hughes* expressed thanks to the hon. member for the University of Oxford for his motion in support of vested rights, which came with peculiar propriety from him, as Member for a place where such rights were to be retained.

Mr. *Cresset Pelham* said, the native

freemen of towns retained an affection for the place of their birth, and ought not to be deprived of their franchise.

Mr. *Estcourt*, in reply, said, that residence and registry were so mixed up together in the same clause, that the whole was confused. The right of voting ought to be first decided, and he had introduced the question of residence to make his amendment consonant to the principles of the Bill. That part he would withdraw; but then it would be said, he was an advocate for existing abuses, which he denied, for wherever there was an abuse, he wished a remedy to be applied, but not, under the pretence of correcting abuses, to commit a general act of spoliation. He was not only an advocate for existing rights, but for rights in perpetuity; and he considered the clause taking away the franchise from resident and non-resident freemen, nothing less than spoliation.

Lord *John Russell* said, it was necessary the hon. member for the University of Oxford should say, whether he would amend his Motion, or suffer it to apply to both resident and non-resident voters.

Mr. *Estcourt* said, he would then move, that all the words after "that," at the beginning of the clause, down to "provided also," in the seventh line, be left out, for the purpose of substituting his Amendment.

The Committee divided on the Amendment: Ayes 17; Noes 89—Majority 72.

The Clause agreed to; the House resumed. The Committee to sit again on Tuesday.

List of the AYES.

Apsley, Lord
Bankes, W.
Cust, Hon. P.
Fitzroy, Hon. H.
Forbes, Sir C.
Hodgson, J.
Hughes, W. H.
Miller, W. H.
Murray, Sir G.
Peel, E.
Pelham, Cresset
Rae, Sir W.
Rochford, G.
Sibthorp, C. D. W.
Trevor, Hon. A. H.
Walsh, Sir J.
Wrangham, D. C.

TELLER.

Estcourt, T. G. D.

HOUSE OF LORDS,

Monday, August 29, 1831.

MINUTES.] Bills. Read a second time; Canadian Revenue. Read a third time; Burning of Lands (Ireland.)

Petitions presented. By Lord HOLLAND, from Evans Jones, praying, that the effects of the Beer Act might be inquired into before any material alterations were made in it; and from William Benbow, to the same effect. By the LORD CHANCELLOR, from William Washington, of Middlesex, to the same effect. By the Marquis of LANSDOWN, from certain parochial Clergy of the diocese of Exeter, that the Beer Act might be so modified as to afford as little temptation as possible to vice and immorality.

FRENCH TROOPS IN BELGIUM.] The Marquis of *Londonderry* rose to move, that there be laid on the Table an account of the expenses of erecting the fortresses on the frontiers of Belgium and Holland, and of the proportions in which the expense was borne by the Powers who contributed. In making this Motion, he wished to take the opportunity of putting some questions to the noble Earl opposite, on the subject of withdrawing the French troops from Belgium. The noble Earl had stated, the other night, that the French Commander in chief, Marshal Gerard, had received positive orders to withdraw the French troops from Belgium, as soon as the Dutch troops should be withdrawn within the limits of their own frontiers; and the noble Earl added, that he had no doubt but that these orders would be executed, and that the French government would honourably perform its engagements. But he had since understood, that the noble Earl had added, in an under tone, which he did not distinctly hear himself, that some portion of the French troops might remain in the Belgian territory. In consequence of an intimation conveyed to him, that the noble Earl had added something to that effect, he had, after the adjournment of the House, applied to a noble Baron opposite, and inquired, in what sense he was to understand what the noble Earl had said, and what was the interpretation which the noble Baron put on the words of the noble Earl? By that noble Baron he was informed, that positive orders had been given to withdraw the French troops from Belgium; and he had been the more confirmed in the belief that such was the statement of the noble Earl, from a similar statement having been made by a noble Lord in the other House, viz. that the whole of the French troops were to be withdrawn from Belgium. With what amazement, then, did he afterwards learn, that Prince Leopold (for he could not be considered as king of Belgium, since he had not been as yet acknowledged by Russia, Prussia, and Austria) had requested, that a guard of ten or twelve thousand of the French troops should continue to occupy Belgium, after the Dutch troops had withdrawn. He understood, that Prince Leopold had requested, that a considerable proportion of the infantry of the French army, besides two brigades of cavalry, and eight batteries of cannon, should still remain in possession of the country. The noble Earl had spoken, on a former occasion, of what this country had a right to expect; and he would now ask the noble Earl, whether this was what the country had a right to expect, after the engagements said to have been come under by the French government, and the assurances given by the noble Earl, that these engagements would be fairly and honourably performed? For what purpose, or with what object, could these troops be retained in Belgium? Prince Leopold had not as yet been acknowledged king of Belgium by Austria, Prussia, or Russia, and he had no right to demand these troops as a body guard. Could Prince Leopold not trust *Les braves Belges*? and if he could not, and we were to allow the French to remain on that pretence, it was quite clear, that the Ministers of this country had been bamboozled by the arrangement. It was perfect perfidy, if Prince Leopold had called on the troops of France alone to occupy Belgium in this manner. If any troops at all were required, the French government alone ought not to have been called upon to furnish them, but the matter ought to have been referred to the Conference, and our Ministers had not done their duty at the Conference, since they had not bound Prince Leopold down as to what he ought to do in an emergency of this kind, which, as it was likely to occur, ought to have been foreseen and provided for. It ought to have been referred to the Conference here, to consider whether, in such a case, the occupying troops should be Prussian, Russian, or Austrian, or some of our own troops; for, of all the Powers, France was the last that ought to have been allowed to furnish troops for this purpose. It was evidently a subterfuge, a pretence, on the part of the French, for the purpose of having the occupation of Belgium continued by their own troops. He repeated, that the matter ought to have been settled by the Conference here, and that some previous arrangement should have been made in case of the occurrence of this emergency. He had, on a late occasion, been complimented by the noble Baron opposite (Holland) for the great satisfaction which he had expressed at the assurance that the French troops were to be withdrawn; but then, when he expressed that satisfaction, he understood, that all of them were to be withdrawn; whereas, as it now appeared, the result was totally different, since so large a body was still to be retained. He would refer the noble Baron to what had been the conduct of the Ministry of this country in 1793, during the progress of the then French Revolution, with which the noble Baron was particularly conversant—he alluded to the noble Baron, the Chancellor of the Duchy of Lancaster, or perhaps, he ought rather to say, the noble Deputy Secretary of State for Foreign Affairs, or Principal Secretary, for he understood, that it was the noble Baron who directed the proceedings of the noble Lord who ostensibly held that situation. If the noble Baron would please to refer back to a debate which took place in Paris at the period to which he had adverted (the debate as to the fate of Louis 16th), he would find, that a certain Monsieur Egalité, or some other person, had said, on that occasion: "*Je vote pour la mort sans phrase.*" So, in this case, his language was: "*Je vote pour la retraite sans phrase*"—a real and substantial, and not a pretended retreat—"*une retraite sans phrase et sans condition,*" and then it might be hoped, that it would be *sans collision.* The noble Baron had complimented him on the satisfaction which he had expressed, but then, that was under the impression, that the intended retreat was such as he had described, for that was the only species of retreat with which he would be satisfied. But one word as to the fortresses. In the Protocol on their Lordships' Table, it was provided, that the negociators for the four Powers—Russia, Austria, Prussia, and Great Britain—should meet and determine which of these fortresses were to be destroyed, and, it was to be presumed, without any interference on the part of the French government. Now, however, there was reason to fear, that the cloven foot of France had been thrust into the negotiations, or was to be thrust into them. He deprecated this kind of interference, as the worst that could be exercised or suffered. The expense of erecting these fortresses had been borne by Holland and the Allied Powers, and France had nothing to do with it, and it was only on the supposition that there was to be no interference on the part of France with respect to the disposal of these fortresses, that he could hope or expect, that any good whatever could result from the Conferences on this subject. He dwelt the more on this, as he understood, that France had required that six of the fortresses should be demolished, and that two of them should be the fortresses of Courtray and Phillipville; and there was reason to apprehend, that the French government was engaged with Prince Leopold and the Belgian government in some *negociations isolés,* having, for their object, the demolition of the whole of the fortresses. Complaints had sometimes been made of the inconvenience attending the line of conduct which he had lately pursued, in occasionally putting questions to Ministers on the subject of our Foreign Affairs. But, whatever might be said on that head, it was clear, that his labours, and the exertions of other noble Lords on that side of the House, had not been altogether useless, for he understood, that the noble Earl had thought proper to apply to the noble Duke (the Duke of Wellington) near him, for his opinion regarding these fortresses; and, if the noble Duke had given him his advice, and if that advice should be followed, that would satisfy him. But, in regard to the period of 1793, he would refer the noble Baron and the Ministers to a letter written by Lord Grenville, in answer to one sent him by the French Foreign Secretary, requesting some explanations. That letter was written in circumstances very similar to the present, and it would be well worth the while for Ministers to refer to it, as affording a good rule for the guidance of their own conduct at the present moment. It was an answer to a letter from M. Chauvelin, and was in these words:—

> “On soutient toujours la violation des traités et des droits de nos Alliés, quoiqu'on y propose une negotiation d'autant plus illusoire qu'elle est reculée, ainsi que l'evacuation des Pays Bas par les armées Françoises, à l'epoque indeterminée, non seulement de la fin de la guerre, mais encore de la consolidation de ce que vous appellez la liberté des Belges.
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> “Je crois cependant devoir vous avertir en termes très positifs, en réponse à ce que vous meditez au sujet de nos preparatifs, que, dans les circonstances presentes, nous allons continuer à prendre toutes les mesures que nous jugerons à propos, à nous mettre en état de defendre la sureté, la tranquillité, et les droits de ce pays, à fin qu'à guarantir ceux de nos Alliés, et à mettre un frein aux vœux d'ambition et d'aggrandissement dangereux en tout tems pour le reste de l'Europe, mais qui le sont parce devenu bien d'avantage dans celui ce qu'elles sont soutenu par la propagation de principes destructeurs de tout ordre social.”

Such was the letter of Lord Grenville, and he hoped the noble Earl would attend to it, and pursue a similar line of conduct. He hoped there would be no truckling in this case, as the favourite Journal of Ministers had expressed it—(he was sorry that the noble and learned Lord, the Lord Chancellor, to whom he owed a few retorts, which he was desirous of paying, was not then in his place, though, from the manner in which the Woolsack was occupied by the noble Earl (Shaftesbury), it would gain nothing in dignity by the presence of the noble and learned Lord)—but he hoped there would be no truckling in this case—that there would be no yielding to aggressive movements, or French levelling and democratical principles: and that in the course of the Conferences respecting these fortresses, no directions would be taken from France, and no interference on the part of that Power permitted. The questions, then, which he wished to put to the noble Earl were—first, whether there had been any interference on the part of France in regard to the demolition of those fortresses?—and, secondly, whether, in consequence of a request from Prince Leopold, or for any other reason, a portion of the French troops was to continue to occupy the Belgian territory, in direct contradiction to the engagements of the French government, and to the assurances of the noble Earl, who pledged himself that these engagements would be fairly and honourably performed? The noble Marquis concluded, by moving for a “Return of the total sums contributed by Great Britain for the erection of fortifications in the Netherlands, or towards the defence and incorporation of the Belgian provinces with Holland, in fulfilment of the additional Articles of the Convention between Great Britain and the Netherlands, dated 13th August, 1814; showing the total amount contributed by Great Britain, under each of the deputations contained in the first of those Articles.”

Earl *Grey*, knowing how hopeless it was to dissuade the noble Earl (Londonderry*) from pursuing that inconvenient and irregular, and, as it might be, dangerous course, which he had, of late, adopted, would not appeal to the noble Earl's discretion. But, after all the irregular and inconvenient proceedings of the noble Earl, and all the variety of irregular questions which the noble Earl had put on the subject of the negotiations relative to the affairs of Belgium and Holland, he would submit to the House, whether the noble Earl had been, on any one of these occasions, more irregular than he was at present? In the first place, the noble Earl had made this Motion without any of that courtesy which it was usual to evince on these occasions, and without the slightest notice that he intended to bring forward this Motion, or to put any questions on the subject of the demolition of the fortresses, or the withdrawing of the French troops. [The Marquis of *Londonderry:* I gave notice of the motion on Friday]. The noble Earl says, that he gave notice of the Motion on Friday; but, if the noble Earl did, he was certainly not aware of it, and there was no intimation of it whatever in the paper of Notices and Orders of the Day. He was totally unapprised of the intention of the noble Earl to bring the Motion forward on the present occasion. To the Motion itself, however, he had no objection. But he put it to the House, whether it was proper, upon the slightest of all grounds, to be putting questions respecting negotiations and proceedings of such vast consequence, that peace or war might depend on their determination—whether it was proper, merely on the ground of loose public rumours and statements in the newspapers, or of the vain imaginations of suspicious minds, to be thus continually putting questions on matters of such importance, and on which so much depended? It was not his intention to follow the noble Earl through the variety of topics on which he had touched, for he should be guilty of a breach of his duty as a Minister of the Crown if he did so. But, as to the questions put by the noble Earl, he had only to refer him to the answers which he had given to the same questions, in substance, when the noble Earl had put them on former occasions. The noble Earl had asked, when the French troops would retire from the Belgic territory? to which he had answered, that it was not for him to say when they would retire, but had said, at the same time, that this country had a right to expect, that they would retire when the object for which they had entered Belgium should be attained—that object being the repulse of the Dutch troops from the Belgian territory. To this he added, that he relied on the honour of the French government for the due performance of their undertakings. More than this he could not say. He had stated the fact, that intelligence had reached his Majesty's Ministers, that the Marshal commanding the French troops had received orders to withdraw the troops from the Belgic territory. As to what had been doing or what had occurred since, he must decline at present saying anything whatever on that head. He did say, as the noble Earl had intimated, that it had been proposed that a part of the French troops should remain for a time. But whether the French were justified by their engagements in leaving any portion of their troops in the country after the Dutch had retired, or whether the Ministry of this country had done their duty by requiring proper engagements from the French on this head—or in insisting on the performance of those engagements when entered into, would be subjects hereafter to be considered, when their Lordships should have the whole circumstances of the case before them. He had already stated what it was which this country had a right to expect, and he had added, that he believed that the French government was disposed fairly, and honourably, and faithfully, to perform its engagements, and further he could not say. As to the negotiations on the subject of the fortresses, he must decline saying a single word on that subject at present. But he might advert to one little circumstance in reference to what the noble Earl had said respecting the fortresses: when the noble Earl spoke so confidently of the fortresses that were to be demolished, he declined mentioning the names of the whole of them; but he had pronounced the fortresses of Courtray and Phillipville to be two of them. Now it happened that at Courtray there was no fortress.

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* The noble Marquis sits in the House of Peers as Earl Vane, and, according to strict etiquette, Earl Grey generally gives him only his parliamentary title.

The Duke of *Wellington* rose to confirm one part of the statement of the noble Earl; there was no fortress at Courtray. As to himself, he had been the officer employed by his late Majesty to superintend the erecting and maintaining of these fortresses on the part of this country, and he had continued in the discharge of that duty up to the present moment. It was, therefore, the duty of the noble Earl, as the head Minister of his present Majesty's Government, to apply to him, as the officer intrusted with the superintendance of these fortresses, and to call upon him for such information as he could give on the subject; and it was his (the Duke of Wellington's) duty to wait on the noble Earl and give all the information in his power. He had, accordingly, attended on the noble Earl, and had given all the information that he could. But it was not altogether for the sake of giving this explanation that he obtruded himself on the attention of the House at this time. He was anxious to say a few words on some other topics that had been touched upon—particularly that of the occupation of the Belgic territory by the French army. He was bound to believe, that the king of France intended to do his duty; he was bound to believe so, as he was not only upon terms of friendship, but, he might say, in alliance with our own Sovereign. But it had been said, that king Leopold had requested the king of France to leave a part of the French army in Belgium—he called him king Leopold because he was king of Belgium, and ought to be called so in that House, for he had been recognised as such by this country. But, if king Leopold had called upon the king of France to leave a part of the French army in Belgium, amounting to 10,000 or 12,000 men, that was no good ground for leaving them there, nor would the king of France be justified in complying with the request. He could not look on so large a portion of the French troops being left in possession of Belgium, in any other light than as the advanced guard of the French army; and he could not consider the withdrawing of the main body of the French troops from the Belgic territory, when so large a portion was left behind, as a fair performance of his engagements on the part of the king of France. He did not know, however, what was intended to be done on this head; but if a body of French troops should be left in Belgium, he would say, that it was not consistent with the engagement of the king of France, nor with any principles of the Law of Nations, and he could consider it in no other light, than as an attempt to place the Belgian sovereign under subjection to the crown of France. He could not say, whether the noble Earl and his colleagues had any thing to do with the choice made of Leopold to be sovereign of Belgium, but he believed, that he might say with confidence, that it had never been intended that he should, as sovereign of Belgium, be dependant on France. King Leopold was an elected sovereign—elected by the people of Belgium, and why should he require French troops, or any foreign troops, to remain within the limits of the Belgic territory? It could not be for the exclusion of the Dutch, for the Dutch troops had retired, and Belgium was secure against their return, by the intervention of the five Powers. What, then, could he want foreign troops for, except to protect him against any re-action on the part of his own subjects, or against a revolt of his own troops? There did not appear, at present, to be any ground for calling for the aid of foreign troops to protect him against either of these contingencies. But suppose king Leopold were in danger from either of the causes which he had mentioned, still the principle of non-interference opposed the employment of any foreign troops, and was it not interference to call in the aid of foreign troops, against his own revolted subjects or troops? He had stated, on a former occasion, that considering the disposition of the people of Belgium, it would be improper to compel them to place themselves again under the sway of the king of the Netherlands, or to force any member of the House of Orange back upon them, in opposition to their own inclinations. But one thing was clear, that if force of arms were to be employed at all to impose a sovereign on the Belgians, that force ought to be exerted, not in favour of Leopold, but in favour of the king of the Netherlands, or some other branch of the House of Orange; but the system of interference was altogether wrong, although particular circumstances might justify occasional exceptions. For instance, there might be cases in which the occupation of a country by foreign troops might be justified, as in the case of France, in which an army of occupation had remained for some time after the last war. But there the occupation was by the armies of eight Powers, and not by the army of any one Power; and care was taken, that the Powers more immediately bordering on France, should have no troops in that country. There were no Spanish troops, no Sardinian troops, and no Netherland troops in the army of occupation left in France. Then came the occupation of Naples by the Austrian troops, and afterwards of Spain by the French troops, against both of which this country had protested. He could not speak particularly as to the remonstrances made by this country against the occupation of Naples by the Austrians; but he might refer to the correspondence on the subject of the occupation of Spain by the French troops, and there it would be found, that this country had strongly remonstrated against it, and had intimated to the king of Spain, that if the occupation of the country by the French should be continued much longer, the British Ambassador would be withdrawn from Madrid. Then came the occupation of Portugal by our own troops in 1827, and it was well known, that that occupation ceased immediately when the necessity for it had ceased. He mentioned these things, in order to call to the recollection of the parties concerned, what had been the principles acted upon by this country and other Powers on recent occasions similar to the present. It might have been justifiable in the king of France to send French troops to Belgium, at the request of the Belgian sovereign, in order to repulse the Dutch from the country. But the moment the Dutch troops had retired, the French troops ought to remain in the country no longer.

Motion agreed to.

DUCHESS OF KENT'S ANNUITY.] Earl *Grey* moved the second reading of the Duchess of Kent's Annuity Bill. He was not aware that it was incumbent on him to say any thing on the subject of this Bill, except merely to state its provisions. It was an additional grant of an annuity of 10,000*l.* to the Duchess of Kent, who, considering her situation, had, he must say, been but scantily provided for. Of this sum, 4,000*l.* a-year was for the Duchess herself, and 6,000*l.* was to be allowed her for the maintenance and education of the Princess Victoria; and, as the annuity was made to depend on the lives of the parties, it was provided, that in case of the death of the Duchess while the Princess was alive, 4,000*l.* of the annuity was to cease; and, in case the Princess should die, leaving the Duchess alive, then 6,000*l.* of the annuity was to cease. Comparing this with what had been done on former occasions, it could not be considered as any thing approaching to an extravagant allowance.—Read a second time.

SALE OF BEER ACT.] The Bishop of *London* stated, that he had petitions to present on the subject of the Sale of Beer Act, and thought it imperative on him to take the opportunity of saying something in answer to certain calumnies which had been published against him and certain of the clergy and Magistrates of this country. They had been stigmatized as being always bent on exerting all their power and influence to abridge and restrict the innocent amusements of the people. With respect to himself, perhaps, it was not worth his while to make any answer to such a calumny. But as for the Magistrates and the clergy, no class of men was better acquainted with the habits of the poor, or more competent to judge what was good for them; and it was preposterous to say, that those wished to curtail the comforts of the poor, who had been the most active in promoting the institution of Saving Banks, and every thing by which the comforts of the poor could be really augmented. But they did wish to diminish the temptations which were thrown in the way of the poor to induce them to spend in drinking and gambling their scanty earnings, which it would be much more for their comfort to expend in the support of their families. The Magistrates and clergy did not wish to abridge the innocent amusements of the people; but they did wish to save them from temptations to vice and immorality. It had been said, that he himself was adverse to the system which enabled the poor to supply themselves with good and cheap beer. This was a calumny, for he had only proposed that the people should not be supplied at the beer-houses with gambling materials, and that the shops should be shut on the evenings of Sunday, and certain other days—all which was perfectly compatible with the system of supplying the poor with good and cheap beer. When the baker was compelled to shut his shop at one o'clock on Sunday, and the butcher at ten in the morning, he saw no reason why the keepers of these beer-houses should not be compelled to shut at seven in the evening.

As to the clergy, particularly, they were placed in rather a difficult situation in these cases. If they remained silent, they were represented as careless and remiss in the execution of their duty; and if they spoke out against practices which they honestly believed to have a tendency to produce vice and immorality, then they were represented as meddlers and hypocrites. He really did not know what the clergy had done to give any one a right to say, that they had said one thing when they meant another. It had been said of himself, that he was always ready to set himself against the vices of the poor, but suffered the vices of the rich to pass unheeded. That accusation was groundless as far as he was concerned; for he had exposed himself to ridicule and censure for his opposition to the vices of the great. But, from whatever quarter this abuse and calumny came, he would not be deterred either by ridicule or censure from speaking and acting, when he considered it a part of his professional duty to speak and act. The right rev. Prelate concluded by presenting a petition from the clergy of Salisbury, praying that the Beer Act might be so modified, as not to furnish temptations to vice and immorality. His Lordship also presented a petition from the London Association, for preventing the profanation of the Lord's Day, praying that the beer-shops might be shut at an early hour on Sunday.

BEER ACT AMENDMENT BILL.] Viscount *Melbourne*, in moving the Order of the Day for the consideration of the report of the Committee, in this Bill, said, that he had been desirous of introducing a clause in the Bill which would have the effect of obliging the beer-houses in country places to shut at an earlier hour than those in towns. But he found it impossible to frame the measure so as to apply to all circumstances; and the effect of such a clause as he alluded to would be, to create innumerable difficulties and controversies as to what places were in the country, and what places were in towns. The inconveniences produced by this in places which were in themselves neither cities, towns, nor boroughs—such as Lambeth, Camberwell, and other places adjoining the metropolis—would be very great; and he was therefore induced to abandon his intended Amendment, and to leave the Bill in that respect as it stood.

The Marquis of *Salisbury* begged to call the noble Viscount's (Melbourne) attention to certain clauses of the Bill, one of which went to repeal 1st William 4th, cap. 64, Sec. 4, relating to bonds to be entered into by licensed victuallers. That enactment, in his opinion, ought not to be repealed altogether. A great jealousy, no doubt, existed, as to the Magistrates being allowed to decide respecting the adequacy of the security tendered, but this formed no sufficient cause for the repeal to which he had alluded.

Viscount *Melbourne* said, it would be too great an interference with the principle of the Bill, to allow Magistrates the power of deciding on the security tendered, because it would undoubtedly be said, that if the Magistrate had any objections to the person applying for the licence, all he would have to do to prevent his obtaining it, would be, to object to the sufficiency of his sureties. If the noble Marquis could state any other means by which the object he appeared to have in view could be accomplished, he should be very happy to pay every attention to his suggestions.

The Marquis of *Salisbury,* in reply, stated, that he proposed, on the third reading of the Bill, to submit a clause, to the effect, that the security tendered should be approved by the bench of Magistrates, and he should take the same opportunity to propose another amendment, imposing a penalty of 40*s*. for keeping these houses open at improper hours.

The Lord *Chancellor* wished to make a few observations—and they should be very few—upon the most important and most difficult parts of the measure. He was deeply impressed with the importance of this subject, and when the measure was originally brought forward by the noble Duke, as well as when a right rev. Prelate opposite (the Bishop of London) recently made some observations upon it, he felt the necessity of imposing some additional restrictions to those which it was the object of that measure to enforce, for the purpose of checking the licentiousness which, from the evidence which they had before them, appeared to have arisen from the multiplication of the beer-houses. But he agreed with his noble friend, the Secretary of State for the Home Department, that although the testimony which the House had before it was of a very respectable character, yet it was liable to mistakes, from the coincidence in the time at which the Beer Act was passed, and the reduction of the price of beer, they having both occurred together, one from the change in the licence system, and the other from the abolition of the duty on beer. When the Legislature granted an unlimited licence for opening houses for the sale of beer, and at the same time reduced the price of beer, they exposed themselves to this error, that these measures being alike in their date and operation, it became extremely difficult, if not wholly impossible, to say how much of the increased licentiousness arose from the addition to the number of houses under the new licence, and how much from the reduction of the price of beer. He felt it due, therefore, to the noble Duke lately at the head of his Majesty's Government, and to those who co-operated with him, to say, that their measure was not justly chargeable with having solely increased the desire to drink, or the quantity of liquor drunk. He thought, for his own part, that principal encouragement was held out by lowering the price of the article consumed. He would mention one point of view in which it was obvious that intemperance was more likely to be promoted by lowering the price of beer than by the multiplication of the beer-shops—namely, that people preferred going to a house where they might have either spirits or beer, as suited their inclinations, or both, and where they might, as he had reason to believe they not unfrequently did, prepare themselves for one glass of gin, by drinking a considerable number of glasses of beer. He spoke practically on this subject, having had opportunities of ascertaining what he stated. He believed it to be very much the practice amongst certain portions of the lower orders of the people, to begin their indulgence with the comparatively innocent and heavier liquor, beer, and to finish with the stronger, and more ardent, and more mischievously-exciting spirit. Therefore, he said, if the price of beer had remained the same as it was before the passing of the measure, it would not have tended to increase the number of consumers of beer, or the quantity consumed; for he could see no reason, if there were five houses in a town under the old regulations, and that there was sufficient accommodation in them, and five new houses were established under the late bill—he did not see why, if the price remained the same, the ten houses should double the number of drinkers, or make them drink double the quantity. It was, however, to be remarked—that under the new law the Magistrates had not, as under the old law, a discretionary power to fix, not only the number of the houses, but also the places where they should be opened, and they made it a rule to confine them to the towns and villages, and not to suffer them to be opened under the hedge-rows and by the road-side. Great evils certainly might arise from these beer-houses being opened and kept in solitary places, because in those places designs against the property of others were more easily concocted and matured, than in places open to general inspection and observation. But if, as he had said before, the multiplication of beer-houses did not tend to double the consumption of liquor, still less could it have that effect if the new houses were places where men could not obtain stimulating spirits as well as beer, if they were generally disposed to unite these indulgences. As to the abuses which were spoken of as being practised under this system, he could hardly conceive a more important subject than that they should be regulated, if it were possible, so as to guard against any thing of the kind; but the more he looked at the subject, the more he was convinced of the difficulties surrounding it. He would now come to the consideration relative to shutting up these houses on certain days—as Sunday, Good Friday, and Christmas-day, and at certain hours every day—as at nine in summer and seven o'clock in winter. This, at first sight, seemed to be an easy as well as a prudent regulation; and he at first felt strongly disposed to adopt such a regulation. But, on further consideration, he found the difficulties attending it so great in number, and so important in weight, as to alter his determination. If they made the new houses so perfectly different from the old—they were already essentially different, inasmuch as the new houses sold beer alone, while the old ones were at liberty to sell beer and gin—but if, in addition to this difference, they drew the still more important distinction as to hours, what would be the necessary and inevitable consequence? The old houses would be open for the sale of gin, and wine and beer, and they would be open not only until seven o'clock in winter and nine o'clock in summer, as the new beer-houses, but until twelve and one o'clock at night. They would be open for the sale of all liquors at all hours of the day and night. All men might resort thither to drink—the beer drinker, and the gin drinker—the man who was minded to go quietly home to his family after a moderate proportion of wholesome and necessary refreshment, and no less the mere tippler, the profligate, the licentious person, who thought nothing of his fireside, whose habits were alienated from his home, and for whom his wife and children had no attraction. The old houses, where gin was to be had, would be open, and the only houses not open would be the comparatively innocent beer-house. Already the public-houses were gifted for distributing gin as well as comparatively innocent beer; but the Legislature was now saying to the labourer—"You shan't drink beer at the beer-shop after a certain hour; but if you like to drink ale plus gin at the gin-shop plus the ale-house—'*Patet atra janua Ditis—noctes atque dies*'—you may go there at one o'clock in the morning; you may go on any day—on Sunday—on Christmas-day—Good Friday—on Saint Monday, or on Saintless Saturday." This was the state of the new law. His great object was, to observe the distinction between the gin-shop and the beer-shop. His desire was, to encourage the one, and to discourage the other. He would put down the consumption of ardent spirits by any means, and by all means. So deep was his impression, from his experience, and from the information conveyed in the evidence taken before the Police Committee in the other House of Parliament, as to the causes of crime in the metropolis; so deep was his impression that the use of gin and other ardent spirits was the great source of the cruel evils—the boundless and never-ending mischiefs, which prevailed in the haunts of the common people in this town and elsewhere—although he hoped not to so great an extent—that he professed his entire disposition, if he could see his way towards a total prohibition of the consumption of spirits in those houses—even if the interests of free trade, and of the unfettered industry of mankind, were to be flung overboard in order to lighten the vessel and guide her safely into the port where he wished to see her harboured—he professed his entire disposition, at the sacrifice of those interests of free trade and unfettered industry, to put down the consumption of spirits, if he could do so effectually, by legislative enactments. But he knew it to be impossible. He knew that, by endeavouring to put down one crime, they would only create another, and he had, therefore, in despair given up the speculation—for he could call it no more—of preventing the use of gin. Without making invidious, and, in a free country, impracticable distinctions, he did not see how it could be put down. Well, then, what were they to do next? To discourage it as much as possible. He lamented the lowering of the duty on spirits, seeing that almost as much revenue was collected, although the duty was lowered about one-half. Making all proper allowance for the conversion of the contraband trade to a duty-paying trade, the result of his inquiry, and of his personal observation, was, that the increased consumption of ardent spirits must have been frightful since the diminution of the duty. Their Lordships ought, therefore, to take every possible means to discourage the use of spirits. And this brought him to the distinction between the gin-shops and the beer-shops. According to this principle, instead of raising distinctions between the old houses, which sold spirits and beer, and the new ones, which sold beer only, they ought rather to level all distinctions; and, instead of holding out a temptation to go to the old houses, they ought to tempt men to cleave to the new ones and abandon the old. By shutting up the beer-houses a man must drink gin, because he could not get beer after seven o'clock in winter and nine in summer. But it would not be only at those hours that the distinction would operate mischievously, for it was notorious that when a man got into the habit of frequenting a particular house—the Red Lion, for instance—he became familiar with it, and adhered to it—he would not go from the public-house to the beer-shop. He had one other objection to mention, which related to gambling. With respect to this matter, he was quite ready to share with the right rev. Prelate opposite, the charge of cant, which he treated with proper contempt, because, since ever he had come into public life, he had observed, that men who had no principle themselves cried out against the canting folks, as they termed those who were actuated by a desire to promote the good of their fellow-creatures. These persons had, at least, the merit of candour. They did not pretend to principle themselves—they did not render the homage of hypocrisy, which Vice was said to pay to Virtue. The liberation of the Africans, the various questions relating to civil and religious liberty, had brought the charge of cant against those who advocated them. He, therefore, agreed with the right rev. Prelate in despising such attacks. He had always held in great abhorrence the vice of gambling. The mischiefs which it produced could hardly be over-rated by any law-maker; and he thought it as great a vice in those who were eminent in their rank and station as in the humblest peasant who practised it either in a licensed or unlicensed ale-house. He thought the right reverend Prelate opposite, the least of all liable to the imputation of having spared the vices of the rich, and denounced with severity those of the poor; for it so happened, that the right reverend Prelate had exposed himself to the resentment of persons in the upper ranks, by his inflexible condemnation of immorality, by preaching in season and out of season against it, and by censuring without distinction the vices of the rich and of the poor. Nevertheless he felt upon this lesser part of the case almost as much difficulty as upon the larger and more important part, for although the beer-houses were under their control, and though their Lordships had before them a Bill in which they might introduce a clause to prevent the playing at skittles in those houses, the consequence would be, that the people would go to play in the gin-shops, or, as some called them, inns or ale-houses. His principle was, to put the new houses upon the same footing as the old ones, except with regard to the mode of licensing. He would put them equally under the control of the Magistrates and the police. But he would put it to their Lordships, so long as they had three or four gambling-houses in St. James's-street, as the right reverend Prelate had already said more than once elsewhere, and as he (the Lord Chancellor) now repeated in a less sacred place; as the right reverend Prelate had said from the Pulpit and in his valuable writings, so long as there were gambling-houses in St. James's-street constantly open, he would not say to their Lordships, for he hoped that none of them were capable of passing the threshold of such a place, but to persons in the same class and walk of life; while these places were open day and night, where men might ruin their wives and families, and fit themselves for nothing else but going to Botany Bay, or parting with life by violent means, so long their Lordships should be very careful how they prevented a poor man from having a game at skittles in a beer-house. But he wanted to put down gambling, and with that view he would place all houses under the same regulations. Gambling was against the law, and he had seen prosecutions carried on, and bills litigated, and payment of them refused, because they were contracted in places where gambling was practised. He should be favourable to any measure which would prevent that vice in the higher as well as in the lower classes of society. As to the regulation of shutting the beer-houses on Christmas-day and other days, he would observe, that Christmas-day was not kept as a day of religion after the usual service was performed. There was that difference between those of the Established Church and the Dissenters. It was an established course at Lambeth Palace, in the time of a late most reverend Prelate, to finish the evening with a game at whist. He had it from the late Dr. Parr, that the Archbishop of Canterbury before the last, knew the regulations of the Church well, and never suffered a Christmas-day to pass without playing a game at whist, although he was not much attached to it. Another difficulty to which he would point the attention of their Lordships was this. How were they to shut up the beer-shops without shutting up the old public-houses at the same hours? And let it be recollected, that considerable inconvenience must arise from shutting up all such houses at seven o'clock in winter, and nine in summer, because all the houses to which their Lordships themselves went to change horses or to sleep, would necessarily be shut against them, after those hours, on their journeys of pleasure or business, as much as against the peasant or day-labourer. There was not an inn from London to York which must not be closed as inexorably as the commonest beer-shop. Yet so much they must do by their Bill, or they must encourage gin and discourage beer. It was not until he had drawn clause after clause, and proviso after proviso, and come to close quarters with the various considerations attached to the subject, that the difficulties struck him. He found himself unable to get over them, and thought it his duty to state them to their Lordships. If they could overcome them he should be very glad.

Lord *Wynford* said, the noble and learned Lord had fallen into some mistakes, in which he was sure the noble and learned Lord would be obliged to him for setting him right. In the first place, he concurred with the noble Secretary, (Viscount Melbourne), as to the expediency of not attempting the clause which he had himself originally recommended, and which would have appointed different hours for the closing of beer-shops in towns and in the country. In reply to the noble and learned Lord, he had to lament, that to put the new beer-shops and the old houses upon the same level would require a great number of additional clauses to the Bill before their Lordships. In the old public-houses, all the evils of which the noble and and learned Lord complained, were guarded against—first, by the discretionary power of the Magistrates, who were sure to select proper persons, and next by various provisions of the Statute-law. When the noble and learned Lord stated, that any man might enter a public-house after nine o'clock, or after twelve o'clock, he was mistaken, because, by the 9th George 4th, cap. 60, it was provided, that the Magistrates of each district should have the power of determining the hour at which all public-houses in that district should be closed.

The *Lord Chancellor* said, that by saying twelve o'clock, he meant any hour later than that at which it was ordered the beer-shops should be closed.

Lord *Wynford*, in continuation. The Magistrates were to fix the time when the public-houses should close, and if persons were admitted after that time, such houses were considered as transgressing against the law under which they were licensed. So also gambling was guarded against, for the keeper of a public-house was liable to be proceeded against criminally if he permitted it, the penalty provided by a very old law having been re-enacted by a modern Statute; in that respect these beer-houses had the advantage, for there was no provision of the kind against them. He agreed with his noble friend as to the propriety of poor persons having opportunities of amusement. God forbid that he should wish to debar them of entertainment, knowing as he did, that such restrictions would only drive them to employ their time in mischief. He saw no difference betwixt a man in a low condition of life playing at skittles, and a gentleman amusing himself with cricket. It would be tyranny and oppression to prevent it. But what he understood the right reverend Prelate to condemn was, playing for money, by which means men took the bread from their wives and families, in the indulgence of that disposition which was common to high and low, and which tempted persons to incur much loss for the sake of the chance of gain. He quite agreed with the right reverend Prelate in his wish to apply such penalties as would be the means of preventing gambling both in high and low life. As to the inconveniences in travelling which had been alluded to, his noble friend would find in every Statute an exception in favour of inns for travellers. There was nothing in the law to prevent inn-keepers of any description from receiving travellers. He thought it right to make these observations, considering, that if it went forth that inn-keepers were not at liberty to receive travellers, or that there were no means for the prevention of gambling, it might have a prejudicial effect. His noble and learned friend could not have looked with his usual accuracy into the Acts of Parliament, and would not, he hoped, take it ill that he thus set him right. All the evils to which he alluded were guarded against in the regular public-houses. The most effectual security which the public could have, was, that the persons who kept the public-houses were persons of a superior condition, and those who could not obtain licenses for such houses resorted to keeping beer-shops. Would to God, as his noble friend said, that the people could be confined to drinking beer, and all the evils attendant upon the use of ardent spirits put an end to! But he feared that that was not possible. He was informed that there was a great deal of gin drank in beer-houses. Though they were not licensed to sell gin, still they contrived means to provide it.

The *Lord Chancellor* said, that the whole tendency of his arguments was against any distinction being made between the old and the new beer-houses.

The Marquis of *Salisbury* said, that if the new beer-houses were placed on the same footing as public-houses, there would be nothing to complain of.

The Earl of *Harrowby* suggested the expediency of postponing the reception of the Report till another day, in order that the subject might be further considered.

Viscount *Melbourne* would not object to the postponement if any sufficient grounds could be shown for it. He must, however, observe, that the terms of the license in the case of the new beer-houses and of the public-houses, were similar in all essential particulars.

The Marquis of *Salisbury* said, if there was a difference in the time of shutting up the beer-shop and the public-house, the natural consequence would be, that the inmates of the former would adjourn to the latter; therefore he maintained, both ought to be closed at the same hour.

The reception of the Report postponed.

HOUSE OF COMMONS,

Monday, August 29, 1831.

MINUTES.] Bills. Read a second time. Public Works, Great Britain; Money Payment of Wages. Read a third time; Turnpike Roads (Scotland.)

Petitions presented. By Lord STANLEY, from Maltsters and Brewers at Warrington, against the use of Molasses in Breweries and Distilleries.

CASE OF THE DEACLES.] Colonel *Evans* moved the printing of the petition of Mr. and Mrs. Deacle, which was laid before the House on Monday last. It was, he conceived, a very important petition, inasmuch as it affected a class of functionaries to whom, in a great measure, the administration of justice throughout the country was intrusted.

Lord *Althorp* said, that when, on a preceding night, the petition was brought forward, he did not object to its being laid on the Table. He did not now object to the printing of it on the ground that it contained any thing disrespectful to the House; but he felt himself called on to do so on this ground—that if this petition were printed, as it contained allegations against the conduct of certain gentlemen, those gentlemen, in their own justification, would most probably come forward with other petitions, and thus the journals of the House would be made the vehicle of a paper war between the parties.

Sir *Thomas Baring* said, that he would offer no observation with respect to printing the petition. With that point the House would deal just as it pleased. But there was one passage in the petition to which he wished to advert. A Magistrate was there accused of having tampered with a man named Barnes, who, it was alleged, was told, that in the event of his giving evidence against Mr. Deacle, he should not himself be prosecuted. With respect to that statement, he had the positive authority of Mr. Long, the Magistrate alluded to, and who was present when the transaction was represented as having occurred, to contradict it in the most positive terms.

Mr. *O'Connell* said, that Mr. Deacle had not asserted that Mr. Long had made any such declaration to Barnes, but only that Barnes, when examined at the trial as a witness, declared he had done so. This statement it now appeared was wholly false, and yet the man who made it was one of the witnesses against Mr. Deacle. As the petition had already received extensive circulation, by the same means that the charge was conveyed to the public, he agreed with the noble Lord, that there was no necessity for printing it, to encourage rejoinders which it was likely the other parties interested, would desire to make to the allegations contained in it.

Mr. *George Robinson* concurred in the sentiments of the hon. and learned Gentleman.

Sir *Thomas Baring* hoped the House would give him credit so far, that (after being many years a Magistrate) he would not join in so absurd an act as to suggest or acquiesce in a proposal that a man should not be prosecuted if he would give evidence against another.

Colonel Evans withdrew his motion.

WRIT FOR LIVERPOOL.] Lord *Stanley* presented a Petition from the Bankers, merchants, and other Inhabitants of Liverpool, praying, that the Speaker might be directed to issue his writ for the election of a Member to serve for that borough. At present they were half disfranchised, as there was only one sitting Member.

Mr. *Ewart* supported the prayer of the petition, by the desire of his constituents, but, circumstanced as he was with respect to Liverpool, he felt, that it did not become him to enter further into the subject.

Mr. *Benett* said, that at the election which had been brought under the notice of the House, it was proved, that bribery had been practised in the most barefaced manner, and that corruption extended over a great number of electors; but there were criminals higher in station than these persons, he meant those who bribed them.

He wished very much to get at these persons, but as that was impossible, the only way to prevent their practising the same obnoxious conduct, was, to deprive the electors who received bribes of their franchise. Independent of this consideration, however, he did not know how they could entertain a proposition of this nature, seeing that there was an understanding in the House that the writ should not go down until a motion, of which he had given notice, founded on the late election, had been disposed of.

Mr. *Wilks* said, that by thus staying the writ, they were not only punishing the electors of Liverpool, but the whole country, by lessening the number of Representatives, The borough of Liverpool, it should be observed, stood in a very different situation from that in which it would have been placed, if no dissolution of Parliament, and no subsequent election, had occurred. To the proceedings at the late election no objection whatever had been made, and to deprive the second commercial town in the empire of half its Representation, was straining the powers of the House to their uttermost extent. He should support the prayer of the petition most heartily.

Mr. *Granville Vernon* thought, that proceeding further in this question would tend to little good. They were throwing an augmentation of duty and responsibility on the sitting Member, which it was very difficult and onerous to bear. He hoped the House had not so far committed itself, as to be pledged to inquire into the alleged corruptions of Liverpool, previous to a writ being issued. Even if that were the case he thought, under all the circumstances, they should so far relax as to permit the writ to issue, which would be no impediment in the way of inquiry hereafter. He could by no means admit, that the House was pledged to keep Liverpool half represented, as it now was. The case of East Retford, which he had the honour to represent, should be a warning to Parliament how it entered into those investigations. After all the expense, delay, and public inconvenience incurred in the East Retford proceeding, no voter was disfranchised; but a number of freeholders belonging to the hundred of Bassetlaw obtained the elective franchise; and this infusion of new blood had the effect of rendering the Representation of that borough pure and free from corruption. The same results might be expected in Liverpool after the passing of the Reform Bill. There were now 4,000 freemen, one-third of whom were non-residents. Under the Reform Bill, however, there would be 17,000 resident electors in Liverpool, and it was impossible that such a constituency could be open to bribery. Under these circumstances he saw no good reason for deferring any longer the issue of the writ.

An *Hon. Member*, in supporting the petition, observed, that they had heard the other evening, from the single member for Liverpool who now sat in that House, how exceedingly inconvenient it was for him to sustain on his own shoulders, unassisted, the whole of the parliamentary business connected with Liverpool.

Mr. *Wason* said, that he would oppose any proposition to issue a new writ for Liverpool, after the House had already decided, that no writ should issue until the hon. member for Wiltshire had brought his motion forward. It had been proved, that the freemen of Liverpool were, in general, more corrupt than any other place where bribery had been exposed, and he therefore thought they should not go unpunished. The subsequent election to the one complained of, had taken place by the royal prerogative alone at the dissolution, and the House having been no party to it, that could be no bar to further proceedings.

Mr. *Evelyn Denison* said, that the issuing of the writ for Liverpool had been suspended indefinitely, and it did appear to him, that it was irregular and unprecedented to take cognizance in the present Parliament of acts done by the late one. It was a most serious consideration, to keep so important a place as Liverpool, only half represented. It was punishing the innocent for the guilty. As the House had most important business to transact, and as the Reform Bill ought not to be delayed by discussions of this nature, he hoped the writ would be allowed to issue forthwith.

Sir *George Clerk* said, that however important the Reform Question might be, it should, in his opinion, give way to the discussion of cases of particular bribery and corruption, such as this of Liverpool, which was a much more flagrant case than that of Dublin, where few persons comparatively were bribed, and was beyond comparison worse than that of East Retford; corruption was practised on a much larger scale, the greater part of the voters were bribed, and in that less important, less guilty case, the writ had been suspended until a great addition of electors had been provided. He was happy to hear from the hon. Member, that the remedy had been so successful. He therefore was of opinion, the same course should be followed in the present case, and the writ be stayed, Whether the Reform Bill passed or not, the House would probably think some remedy necessary, and, by the infusion of a new description of voters, to put some stop to the bribery and corruption of the present electors for Liverpool. Under these circumstances, he felt himself called on to pursue the same course he had before taken, and to move "That this debate be adjourned," if the hon. Member persisted in his intention to move for a new writ.

Mr. *O'Connell* said, that very great responsibility would rest upon the hon. member for Wiltshire, if, by agitating this question, he should delay the measure of Reform. They had yet a great deal to do. There was the Irish Reform Bill and the Scotch Reform Bill, which, no doubt, would take precedence of the measure which related to Ireland. He was, however, happy to perceive so much anxiety manifested to correct corruption in Scotland. The Scotch Members had not, upon an average, more than 127 constituents each: that did not lead, in the least degree, to their individual advantage. They did not make their parliamentary interest subservient to their personal gain. They had no pensions, no places, no peerages. He had certainly heard of such things out of doors, but such rumours were not deserving attention. He hoped they would not introduce any unnecessary discussions to delay Members from returning to their families.

Mr. *Ewart* thought Liverpool would be purified by the Reform Bill, and that, therefore, it was unnecessary to delay issuing the Writ.

Lord *Stanley* said, those Gentlemen who were so anxious to prevent corruption, appeared to him to take a wrong course, by desiring to have the writ suspended, which allowed all sorts of opportunities for exercising undue influence during the period of delay, and which there was no law to prevent. He could bear witness, that, at the last election, there had been none of those scandalous proceedings which had disgraced Liverpool previously: no riots nor disorders had then taken place. If the House acceded to the prayer of the petition, and caused a new writ to be issued, the hon. member for Wiltshire could still bring forward his Motion, and punish those who had been proved to be guilty of bribery and corruption, as well if that place had two Members, as now when it had only one.

Petition to be printed.

Sale of Beer Act.] Sir *Robert Inglis* presented a Petition from certain Clergymen, Magistrates, and others, for the Amendment of the Sale of Beer Act. The hon. Baronet stated, that 25,000 additional licences had been obtained since the passing of the Bill, and that the evils which he had anticipated would flow from it, had, he regretted to say, been fully proved by experience. The petitioners prayed, as some remedy for these evils, that the tax on Licences might be increased, and stricter testimonials of character required; that the houses should be closed earlier, and no beer be consumed on the premises; and that they should be shut altogether on Sundays, during Divine service. He trusted, the prayer of the petition would be attended to.

Mr. *Strickland* said, the Act which the petitioners required to be amended, had been so short a time in operation, that it was impossible for any persons properly to judge of its effects; and that part of the petition which affirmed the morals of the people had been deteriorated by its means, could not be borne out. He had always felt, as a Magistrate, that the power given to him to license public-houses was a most invidious and disagreeable charge; and he was happy to be in part relieved from it. With regard to the extraordinary number of new licences, which the hon. Baronet seemed to treat as a great evil, he could not so consider it; because many more houses had been opened than would be permanently required, and they would ultimately settle down to the supply required for the public accommodation. At all events, as they sold only beer, they were an improvement upon places where spirituous liquors were drunk to excess.

Mr. *Hume* fully agreed with the hon. member for Yorkshire, that it was absurd to attribute to the Beer Bill effects which could not be properly laid to its charge, from the short period in which it had been in operation. He never could be brought to believe, that the simple sale of beer in houses where spirits were forbidden to be sold, was so destructive to the morals of the poorer classes as had been represented. He knew, that many people had objections to the Beer Act; among others, several very respectable persons among his own constituents, but he had advised them to wait for some further trial, before they petitioned against it.

Petition to be printed.

PROSECUTIONS UNDER THE GAME LAWS.] Mr. *O'Connell* presented Petitions from J. Harris and two other persons, who were convicted at Stafford of an offence under the Game-laws, and had been subjected to an imprisonment of eighteen months. The petitioner complained, that Mr. Kean, who was the agent employed to prosecute, was Under-sheriff of this county, which afforded him an opportunity of striking the Jury which was to decide on the case. This was a practice which he reprobated, and which should be corrected; and though he might not impugn the motives of the party, still, he considered it a matter of great importance, to prevent even a suspicion, that the administration of justice was tainted. He had stated these particulars, as a Member of that House was concerned in the case.

Mr. *Littleton* said, he knew very little of the petition or the practice alluded to. He, however, thought, it was not improbable, that the Under-sheriff, conscious of his high character, might have been regardless of the responsibility he had taken upon him in the case. He did not, however, mean to defend the practice. It was not true, that the parties had been imprisoned for eighteen months. These men had been met by some person in his employment, and, from what he could learn, it was fortunate for them they had fallen into the hands of so humane a person as Mr. Kean, as they might have been prosecuted under Lord Ellenborough's Act.

Petition to lie on the Table.

Mr. *O'Connell* presented a Petition from Joseph Shaw, complaining of the conduct of certain Magistrates for the county of Stafford. It appeared, that the petitioner, who was accused of a breach of the Game-laws before these Magistrates, was, by their order, turned out of the room in which his case was to be heard, and denied the assistance of his Attorney. In this case, the Magistrates were acting judicially, and the petitioner was clearly entitled to have his case heard in the presence of his Attorney. The Game-laws were bad enough in themselves, without the addition of being badly administered. One good effect of the Reform Bill would be, to correct the Magistrates. No poor man could expect justice, when he might be convicted by irresponsible Magistrates.

Petition to lie on the Table.

Mr. *O'Connell* presented another Petition, from Mr. Jones, the Attorney who defended Shaw, complaining of the treatment he had experienced from the Magistrates, and for which he brought an action of damages, but the defendant struck a Special Jury, composed of gentlemen of the same rank in life with himself, and with whom he was in the habit of associating. The Jury gave a verdict in his (Jones's) favour, but awarded but 1*s.* damages. The Judge said, they ought to have given 200*l.* at least, and signed a certificate to set aside the verdict. The petitioner prayed the House for a fair administration of justice.

Mr. *Littleton* said, it was a case long gone by. Among the many communications he was constantly in the habit of receiving from his constituents, he did not remember one which complained of the magistracy of the county of Stafford. He had not meant, however, to complain of any want of courtesy on the part of the hon. Member who had presented the petitions.

BUILDING OF CHURCHES (IRELAND).] Mr. *O'Connell* presented a Petition from the Inhabitants of the Union of Radheen, in the Queen's County, complaining of the expenses to which they were subjected under the Vestry Act, for building and repairing the church of the parish, at the caprice of a few individuals. The petitioners were chiefly Catholics, and they stated, that the Rector of this parish was an absentee, though he derived an income of 1,500*l.* per annum from the parish.

Sir *John Newport* complained of the system pursued in Ireland for rebuilding churches, which gave rise to a number of complete jobs. The laws relating to them should be made to conform to those of England. The churches were often so badly constructed, as not to last more than thirty or forty years. These abuses were resorted to, in order to favour certain individuals. When he considered the powers granted by the Act of George 1st, he thought it was the duty of the Bishops to see, that the churches were kept in repair. The Catholics ought not to be called upon to rebuild churches which had been suffered to decay, from the neglect or bad management of the clergy of the Established Church.

Mr. *Hume* said, that a great portion of the disquiet of Ireland arose from the eternal warfare that was carried on upon this subject. Nothing but the point of the bayonet could compel the Irish to pay these arbitrary and oppressive church taxes. He wished to know of Government, how long the law was to remain in its present state?

Mr. *Stanley* had introduced a bill connected with these subjects in the last Session of Parliament. But the hon. and learned member for Kerry then said, that the Amendments proposed by that measure were so small as to be really worth nothing, and that some parts of it were positive insults to the Roman Catholics. He thought, on the contrary, that the Bill would effect considerable improvements in the law, and would prove highly beneficial to the Roman Catholics. But he met with so much opposition from hon. Gentlemen from whom he expected support, that he was unable to carry the measure before the dissolution; and since the meeting of the present Parliament, there had been no time to introduce it.

Mr. *Lefroy* deprecated the manner in which some Gentlemen were in the habit of referring to the affairs of Ireland. The mode in which the Established Church was spoken of was the real cause of all the existing asperity. The first breach which that House should consent to, of that article in the Act of Union by which the rights of the Established Church in Ireland were declared and guaranteed, would be a leading measure to the dissolution of the Union between Great Britain and Ireland.

Mr. *O'Connell* said, that the argument of the hon. and learned member for the Irish University, that any alteration of the rights and powers of the Established Church, as settled by the Act of Union, was a dissolution of the Union, would prove, that the Union had been already dissolved. For, since the passing of that Act, three several Statutes had been enacted, altering indeed, but increasing the powers of the Protestant Church. By one of those Statutes, Catholics were excluded from voting at vestries, and allowed only to attend them and remonstrate or protest against the decisions of the Protestants. Now, what was the result of this exclusive system? The Vestry of the parish of St. Andrew, in Dublin, voted a salary of 400*l.* a year out of the parish funds to one of the curates. But a spirited individual refused to pay his portion of the assessment, and determined to try the question at his own cost. The case was tried first before the Recorder, and afterwards in the Court of King's Bench, where it was decided, that the vote of the Vestry was illegal. But that was not all. The gentleman who defeated the Vestry had to pay his own heavy costs out of his own pocket, and the Vestry threw upon the parish their costs (200*l.*) that is, the costs incurred in defending the illegal conduct of the Vestry itself against the parishioners. Nor did they stop there. They had this year voted salaries amounting to 300*l.* a year to two additional Curates, notwithstanding the decision obtained against them last year in the Court of King's Bench; and when the Catholic parishioners remonstrated, they told them to make another appeal if they liked. They knew that they were protected by the power, to throw the expenses of the appeal upon the appellants, and the costs of the defence upon the parish at large.

Mr. *Crampton* regretted, that the hon. and learned Gentleman should be induced to make hasty or exaggerated statements against the Established Church of Ireland, especially as such statements had a very dangerous tendency in the present state of that country. On that occasion he (Mr. Crampton) was able to correct the statement respecting the Vestry of St. Andrew's. The case was this:—Two Curates had been appointed, and their services were necessary on account of the extent of the parish. But the salary which they received from the Rector was quite inadequate, and therefore, under an old Act of Parliament, the majority of the parishioners had a right to give them additional remuneration.

Mr. *O'Connell:* The majority of the Protestant parishioners only.

Mr. *Crampton:* The case mentioned by the hon. Gentleman was never brought before the Court of King's Bench, and he (Mr. Crampton) did not hesitate to say, that he thought the Recorder had exceeded his power in the decision which he made against the Vestry.

Mr. *James Grattan* was a parishioner of St. Andrew's, and could undertake to correct the statement of the hon. and learned Solicitor General for Ireland. He could assure the House, that the statement of the hon. member for Kerry was perfectly accurate, and that there were found upon the parish books of St. Andrew's many votes of the Vestry that were decided to be wholly illegal. He (Mr. Grattan) had resisted an assessment, and having acted under the advice of eminent counsel, he obliged the clergy to abandon the advantages which the Vestry had illegally given them. The dissenters throughout Ireland complained as much as the Catholics of the operation of the Vestry Laws.

Mr. *Spring Rice* reminded the House, and especially the Irish Members, of the arrangement which had been agreed to, that he should that evening have an opportunity of voting some of the Irish estimates, which were very pressing.

Mr. *O'Connell*, in moving that the petition be printed, explained, that he just now perceived that the case which he had mentioned respecting the parish of St. Andrew had been (as the Irish Solicitor General stated) decided by the Recorder, and not by the Court of King's Bench. What had caused an erroneous impression upon his mind to that extent was, that the appellant was compelled to obtain a mandamus from the Court of King's Bench, to compel the Vestry to allow him to inspect the parish books. But how did that alter the case, or give it any colour favourable to the Vestry? Of the 200*l.* costs with which, as he had said, the parish was saddled, 130*l.* were incurred in supporting the illegal and unjust refusal of the Vestry to allow a parishioner to inspect the books.

Petition to be printed.

THE CORONATION.] The *Speaker* said, he had received his Majesty's commands to inform the House, that his Majesty had been pleased to order that a gallery should be prepared in the Abbey of Westminster, for the accommodation of the Members of the House of Commons at the ceremony of the Coronation, appointed to take place on the 8th of September. It further appeared to his Majesty that it would be inconvenient for the House to take any part in the proceedings upon that occasion.

Lord *Althorp* moved, that a Select Committee be appointed to confer with his Majesty's Surveyor on the subject of the accommodation that it might seem necessary to provide for the Members of that House in going to and returning from the Abbey of Westminster.

Mr. *Hume* hoped, that the Committee would not be led into unnecessary expense. From what had fallen from Members of that and of another House, there was manifestly a strong desire to drive his Majesty's Ministers into expenses for processions and exhibitions. He hoped, that an estimate would be laid on the Table of the House before any expense whatever should be incurred.

Lord *Althorp* said, that an estimate should be laid upon the Table to-morrow, and that the attendance of the Members in Westminster Abbey would not occasion any additional expense.

Committee appointed.

STEAM VESSELS BILL.] Mr. Spring Rice moved the Order of the Day, for the House to resolve itself into a Committee of Supply.

Mr. Alderman *Wood* hoped, that Government would have allowed him precedence this day for the second reading of the Steam Vessel Bill, which was a very important one, and which he proposed to refer to a Committee up-stairs. Would the Government allow him to move the second reading of it now?

Mr. *Wilks* said, that such a bill must not be allowed to be read a second time as a matter of course, but that a time ought to be appointed to discuss it.

Mr. *Bernal* agreed that the Bill was a very important one, but was afraid that he and the worthy Alderman should not agree as to the point wherein the importance of it lay. The worthy Alderman was very much mistaken if he supposed, that such a bill could be allowed to pass *sub silentio* on the second reading. The worthy Alderman must not deceive himself and others with the supposition that this bill was to go to a Committee up-stairs as a matter of course.

Mr. *Irving* concurred in what had fallen from the hon. member for Rochester, and said, he had reason to believe, that the great body of persons concerned in steam-boats were opposed to the Bill.

Question again put, that the Order of the Day for the Committee on Supply be read.

Mr. Alderman *Wood* said, he would take that opportunity of replying to the hon. member for Rochester.

Mr. *Spring Rice* rose to order. The Steam-vessels Bill was not at present before the House.

Mr. *Hodges* said, that if the worthy Alderman made a speech in favour of the Bill, he should feel it necessary to reply to him.

Mr. Alderman *Wood* said, that he had a right, if he pleased, to move as an amendment on the question, that the Steam-vessels Bill be now read a second time. He did not, however, wish to do anything of the kind; but he should like the Ministers to tell him whether they meant to oppose the Bill or not.

Mr. *Poulett Thomson* said, that the worthy Alderman would know that when the discussion came on.

FRANCE AND PORTUGAL.] Mr. *George Robinson* was desirous of asking whether the Government was apprized, as he was, that the French government, not content with receiving compensation for the injuries and insults offered them by the Portuguese government, had availed, or were availing themselves of their position to Lisbon to obtain for France Commercial advantages which would be extremely prejudicial to the commerce of this country.

Lord *Althorp* replied, that Government had not received any such information as that which the hon. Member had alluded to.

SUPPLY—IRISH ESTIMATES.] The House resolved itself into a Committee of Supply.

Mr. Spring Rice moved, that a sum not exceeding 5,500*l.* be granted to the Royal Society of Dublin, for the year 1831.

Mr. *Leader* said, he was requested to call the attention of the House to the reduction of 1,500*l.* which had been made in the grant to this very useful Society. Though a reduction of such magnitude must lead to a reduction of some portion of the establishment, and must lessen its utility, yet the members of it were not so much alarmed at the reduction of the present year as they were apprehensive that it was only the prelude to withholding the grant altogether. He had been for twenty-nine years a member of the Society, and could bear testimony to the admirable manner in which it was conducted.

Mr. *O'Connell* said, that the Society had made the institution a party institution. The Committee on the Irish Miscellaneous Estimates had recommended that the Society should be opened without a ballot, but the Members had paid no regard to that suggestion. They should have had his money if they would have accepted it, but they blackballed him, and many others, and had, in fact, made the Society rather a party club, than a body whose object was the advancement of science. He was sure that if his hon. friend (Mr. Leader) near him had not entered it early in life, he would never have got into it. He thought it too much for this Society to come to Parliament for money, until it had tried fairly whether it could support itself in Ireland. He fully concurred in the propriety of the reduction which had been made.

Mr. *Anthony Lefroy* thought, that the Society was deserving of every encouragement, and that the grant ought not to have been reduced.

Mr. *Spring Rice* believed, that this was about the first time that an Irish grant had been objected to on the ground that it was too small. He could assure the Committee, that they (the Ministers) would have been very sorry to diminish the grant to any society which fairly and liberally promoted the advancement of learning; but this Society did not. Perhaps the reduction of the vote might be a hint to the Society to adopt the recommendation of the Committee on the Irish Miscellaneous Estimates, and sacrifice party spirit to the promotion of knowledge. The experiment of charging for lectures in this institution was tried, and the following was the result:—The amount paid for tickets to the mineralogical course was only 7*l.* 10*s.*, for the botanical course but 7*l.* 5*s.*, and for the course of experimental philosophy, which was the most attractive of the whole, the amount received for tickets, though the charge was extremely moderate, was only 2*l.* 10*s.* The charge, in fact, for the attendance on all those courses was very small, and the fact of so little being collected in that way proved, either that the lectures were not very interesting, or that the demand for such things in Dublin was not very great; at all events, the circumstance was one which fully justified the

Government in making the reduction which it proposed to make in this grant. It should be recollected, that it was not proposed to withdraw altogether the public grant from this Society. It was proposed to give them 5,500*l.*, reducing the grant of last year to the extent of 1,500*l.* The object was, to revert to the principle upon which the grant had been originally given—namely, that it should to a certain degree be commensurate with, and dependant upon, the amount of local contributions.

Mr. *Robert Gordon* entirely approved of this reduction, and only wished that it had been carried further. He had privately understood, that there were seven or eight items in those Estimates, the reduction of which had been recommended by the Finance Committee, and which was now intended to be made by his Majesty's Government. He should like to know from his hon. friend what these items were?

Mr. *Spring Rice* said, that there were some reductions which had been intended in the Estimates of the present year by the late Government: there were some further reductions which were proposed to be made by the present Government, and all of which had been recommended by the Committee to which his hon. friend had alluded. He should just briefly state what those reductions were. It was proposed to reduce the grant for the charter schools in Ireland to 5,000*l.* this year, to reduce it next year to 3,000*l.*, and in the year after they hoped to be able to abolish it altogether. The principle of the Foundling Hospital had been altogether abandoned. No more children were admitted there. The attention of Government was now directed to the diminution in every possible respect of the existing expenses of that establishment, and it was expected that the expenditure under that head would soon cease. The Richmond Lunatic Asylum was now made a local charge. There were, however, some public expenses still connected with it, but in the course of a year or two they would be done away. With regard to the Marine Society, it would in future be conducted upon the strictest principles of economy, and Government hoped to be able finally to reduce altogether the grant for that establishment. The grant for the Royal Dublin Society was reduced this year by 1,500*l.*, and it was determined, that the grant to that Society should, in a great degree, depend upon the extent of local contributions. The vote for the police was so prepared, that its amount should be always strictly commensurate with the actual expense of that department. The only remaining public charge was that for the Commissioners of Judicial Inquiry in Ireland, which had ceased altogether, and there was only a half-year's expenditure required for the completion of the public records, and the small sum of 1,000*l.* for the completion of some other work connected with that commission, which was in hand. His hon. friend was aware that the grant for the stationery department would cease, and when he came to the Irish office, he should be ready to state, that his right hon. friend (the Secretary for Ireland) had been enabled to carry into effect the most economical views with regard to that branch of the Irish Government in London.

Mr. *Hume* was sorry to hear from his hon. friend, the member for Kilkenny, any complaint against the reduction made in the grant to the Royal Society of Dublin; it was a mere club, and of the narrowest and most exclusive kind—it was a party club, got up and preserved as a pleasant lounge—he would not say for the heads of the Orange party, but for the great Protestant ascendancy people in Ireland. The facts brought before the Committee were so strong, that the then hon. member for Derry, now the right hon. member for Harwich, was obliged to admit, that there was great difficulty in obtaining admission into that club. There was also an important fact, which he hoped would not escape the attention of the House; namely, that the public paid nine pounds for every one that arose from the individual subscriptions of members. Let it not be supposed, from these remarks, that he should be adverse to the establishment, in Dublin, of a museum on the principle of that which existed in London; on the contrary, he should derive much pleasure from the creation of such an establishment; but he never could lend his sanction to any institution maintained for party purposes. Much had been said, at different times, of the service rendered to the manufactures of Ireland by the encouragement which the Dublin Society afforded. He had frequently seen a good deal about premiums given for straw-hat making and for straw plait, but he confessed he never could make himself acquainted with any other encouragement afforded to Irish manufactures by that body.

Mr. *Spring Rice* did not approve of any exclusiveness in any establishment supported at the public expense. In order to warrant an application to Parliament for funds, such institutions should always make it appear, that they preserved something of a national character, and that they could never have so long as they were marked by anything of exclusiveness; however, there was much which, though true of the Dublin Society in times past, could not now be asserted of that body; and though it might be the fact that it resembled a club in some respects, yet in others the Society was a really useful institution, and had done much to advance the interests of science in Ireland, and the diffusion of useful knowledge.

Sir *John Bourke* protested against the exclusiveness of the system upon which the Society was conducted; and he was quite sure, that if it were placed upon a more liberal footing, there would be abundance of subscribers. At present the Society paid 800*l.* a-year rent for an immense palace, which was converted into a club conducted on ascendancy principles. An institution of a similar character to the British Museum, he was sure, would meet much encouragement in Dublin.

Mr. *Leader* denied, that the Society was of an exclusive character. He knew that upwards of 700 gentlemen had subscribed each 30*l.* to this institution, on an understanding that Government should appropriate an annual sum for the attainment of the objects the Society had in view.

Sir *John Newport* hoped, that Government would not sanction any further grants to the Dublin Royal Society, until the exclusiveness of its system was abolished, and he trusted what had now passed would go far to attain that object.

Mr. *Wyse* deeply regretted, that the whole system of education in Ireland, and every institution there established for the diffusion of knowledge, was founded upon sectarian principles, and conducted under the influence of sectarian zeal. He hoped that, in future, national support would not be given to any establishment that was not founded upon broad and liberal principles.

Mr. *Henry Grattan*, in reply to what had fallen from the hon. member for Middlesex, relative to the encouragement given to Irish manufactures by the Dublin Society, observed, that straw-hat making was of more importance to Ireland, and better deserved encouragement, than perhaps many hon. Gentlemen unacquainted with that country might at first view suppose; it had been brought to considerable excellence, even almost to equal that of Leghorn. As to the Dublin Royal Society, he wished to see the abuses of it abolished, but not the whole establishment. Certainly the subscriptions to the Institution were not so great as in times past, for the obvious reason, that the persons who used to support it had become absentees.

Mr. *Sheil* observed, that he should recommend, that the sum voted should be placed at the disposal of the Lord Lieutenant, with power to grant or withhold it according to the conduct of the Managers of the Institution. He was convinced, that if the Society was open to persons of all parties, it would be unnecessary to apply for any public grant.

The next grant of 300*l.*, to defray the expense of the Royal Irish Academy, was agreed to without observation.

The next item was 700*l.* for the Board of Charitable Bequests in Ireland.

Mr. *O'Connell* thought, that this Board should be less exclusive, and that some Catholics should be allowed to be members of it.

Mr. *Spring Rice* said, that it was the wish of Government to make it as comprehensive as possible. By the exertions of the Commissioners, upwards of 230,000*l.* of charitable bequests had been already recovered for Ireland.

Mr. *Goulburn* was convinced the Board had conferred great benefit upon Ireland. The Commissioners had most studiously avoided the least appearance of party spirit, and had been appointed without any reference to their political opinions. He should, therefore, very much regret if any thing was done to impede their exertions.

Mr. *O'Connell* said, that by a decision of Lord Manners, when Lord Chancellor of Ireland, Catholic bequests were equally as valid in law in Ireland as Protestant bequests, and it was, therefore, desirable that some Catholics should be members of this Board.

Mr. *Hume* asked, whether a new Act of Parliament would not be necessary, if new Commissioners were to be appointed?

Mr. *Spring Rice* said, that the Board had been constituted by an Act of Parliament, and that it was the impression of the Committee before whom the matter had come a few years ago, that a new Act of Parliament would be necessary for the appointment of additional Commissioners.

Mr. *O'Connell* suggested, that the thing might be done by the introduction of fifteen lines into the Administration of Justice bill.

Mr. *Spring Rice* hoped, that this point would be postponed for future consideration. At all events, he trusted that they would not resort to the Irish mode of legislating in the Irish Parliament, namely, the introduction of clauses into bills with which they had no earthly connexion whatever. On one occasion, in a Salt Act which was passed by the Irish Parliament, a clause was introduced into it to allow the Dean and Chapter of Limerick to dispose of the deanery house in that city.

Mr. *Ruthven* begged to call the attention of Government to the fact, that property in the hands of Corporations, which had been bequeathed for charitable purposes, was often appropriated to other uses than what the owners intended.

Grant agreed to.

The next question was, that 1,500*l.* be granted for the Belfast Academical Institution.

Mr. *Ruthven* bore testimony to the great merits of this Institution, and stated, that the subscriptions for the support of it had considerably increased in Belfast and its neighbourhood.

Mr. *Hume* said, that this was one of the Estimates which had met with the unanimous approval of the Finance Committee, and he would give it his support.

Vote agreed to.

The next question was, that 12,900*l.* be granted for the Board of Public Works in Ireland.

Mr. *Spring Rice* said, that the apparent reduction in this Estimate was 3,400*l.*; but the real reduction was that sum minus 1,109*l.*, which was an old debt that had been recovered against this Board, and which they had been obliged to pay.

Mr. *Hume* hoped that, even if they should not be able to get rid of the office of Lord Lieutenant by next year, that still his Majesty's Government would be enabled to reduce this vote much more by that time.

Mr. *O'Connell* said, that his hon. friend, the member for Middlesex, by taking away the Lord Lieutenant from Ireland, would be canvassing in the very best way for the repeal of the Union.

Mr. *Spring Rice* trusted, that next year, by the carrying into effect views which he hoped the House would adopt on the subject, the expense connected with the public works in Ireland would be greatly diminished.

Mr. *Hume* said, that he was opposed to a repeal of the Union, and that was the reason why he was anxious to do away with the office of Lord Lieutenant, which was only popular in Dublin. There was no instance of delegated power being well exercised, and as he wished to give a good Government to Ireland, and to afford the Government here fair play, he was for abolishing the office of Lord Lieutenant in Ireland. If he wished for a separation, or for a repeal of the Union, he should be for maintaining that office; but as he did not, and as he was desirous to take away from his hon. friend his only real argument for a repeal of the Union, he was for abolishing the Lord-lieutenancy in that country.

Question agreed to.

On the question "that 30,419*l.* be granted to defray the Salaries of the Chief Secretary's and Under Secretary's offices, the attendance of messengers, superannuation allowances," &c.,

Colonel *Sibthorp* recommended a reduction of the Chief Secretary's salary, to the extent of 1,500*l.*

Mr. *Spring Rice* replied, that this salary amongst others had been already submitted to a Committee above stairs, the result of whose report was a retrenchment to the amount of 20,000*l.*, and that Committee had decided, that the salary of the Chief Secretary was no more than an adequate remuneration for the duties imposed by the office, considering the expenditure which was necessarily incurred by the functionary who filled it.

Mr. *Goulburn* justified the amount of the salary alluded to, and expressed his apprehension that Ministers had already carried their plans of reduction further than in prudence they ought to have done.

Mr. *Hume* thought, that Ministers deserved general approbation for the principles of sound economy on which they had acted hitherto, and he trusted that they would persevere in the same system.

Mr. *O'Connell* stated, that the vote for superannuations had occasioned general satisfaction throughout Ireland.

Mr. *Lefroy* was satisfied, that one of the gentlemen superannuated, viz. Mr. Gregory, the late Irish Under-Secretary, was as efficient a public servant as ever existed. Sir Anthony Hart had also spoken of that gentleman's services in the most complimentary manner, and he was fully persuaded, that a large portion of the respectable inhabitants of Ireland entertained an equally high opinion of his character.

Mr. *O'Connell* said, he was indebted to the hon. and learned Member who had just sat down for a knowledge of the influence which had guided that excellent man, the late Chancellor, in the appointment of Irish Magistrates. Those appointments had occasioned much dissatisfaction, but he was now assured that they would never have taken place, had not Sir Anthony Hart been egregiously misled by his prejudiced advisers. Mr. Gregory had always been a vehement political partizan, and as such was utterly unfit for the office which he had so unworthily occupied.

Mr. *Goulburn* did not deny, that Mr. Gregory might have strong political opinions, but he would never allow, that that gentleman had been, on any occasion, unduly influenced by those opinions in the performance of his official duties. His own testimony might possibly be viewed with some distrust, but he was able to adduce the opinion of the Marquis Wellesley in corroboration of his own, and that estimable nobleman had expressed the strongest sense of the merits of Mr. Gregory, whom he described as having invariably acted with propriety and rectitude.

Mr. *O'Connell* maintained, that the Government, of which the right hon. Gentleman himself was a member, had never conducted the administration of Ireland with impartiality. They were impartial only in the sense of the Mayor of Limerick, who contended that it was impartiality which induced him to billet as many soldiers on the Papists and as few on the Protestants as he could in the exercise of his magisterial discretion. Who could deny, that that Government was partial in the most offensive sense of the word, when they had kept in regular pay, with the public money, the most flagitious, truculent, and abominable party press that ever disgraced the literature of any civilized country on the globe? He owned frankly, that he, as well as Mr. Gregory, was a particular partizan; but the difference between their cases was this—he was not in an official station, whereas Mr. Gregory united the characters of placeman and partizan in his own person.

Mr. *Spring Rice* deprecated the irrelevant personalities which had been introduced into the discussion.

Mr. *Goulburn* said, he was entitled to be exculpated from the charge of bringing forward personalities, as he had only risen to vindicate a dear friend from the aspersions which had been directed against him from other quarters.

Lord *Althorp* observed, that no one there was disposed to prevent him from doing so.

Sir *Henry Hardinge* also deposed to the excellent conduct of Mr. Gregory, so far as he had had an opportunity of judging, and believed that all his successors in office entertained the same sentiments of that gentleman, so far as their own personal experience would enable them to form an opinion.

Colonel *Conolly* spoke in similar terms, and added, that the Marquis Wellesley, when leaving office, had offered to recommend Mr. Gregory for a baronetcy or a seat in the Privy Council.

Sir *John Newport* was convinced, that Mr. Gregory's conduct had been that of a political partizan. No partizan ought to fill the office that gentleman held, and he heartily rejoiced that Mr. Gregory had retired. His opinions on the subject were the opinions of a majority of the people of Ireland.

Sir *George Murray* was convinced of the necessity of having impartial persons in the public departments of Government in Ireland. He had had opportunities of seeing and knowing Mr. Gregory's conduct, and believed him to be a most honourable and impartial man. He knew that Lord Anglesey entertained a similar opinion of Mr. Gregory.

Mr. *Lambert* knew, that Mr. Gregory was a partial man. He had known an instance of a recommendation sent to Mr. Gregory by certain Magistrates, to dismiss a policeman for committing a gross outrage, which was neglected. The Magistrates of Wexford then held a public meeting, and again recommended the dismissal; but the man, whose name was Lock, was still in the police. The man on whom the policeman committed the outrage was a Catholic, and the policeman was an Orangeman. Knowing this circumstance, he could not allow the panegyric on Mr. Gregory to pass uncontradicted.

Mr. *Spring Rice* said, the time was come, when the House was pledged to go into the motion of the hon. member for Aldborough (Mr. Sadler).

Vote agreed to. The House resumed.

POOR-LAWS (IRELAND).] Mr. *Sadler* rose and said, that having at length obtained, with the concurrence of his Majesty's Ministers, an opportunity for which he had long waited, of submitting to the determination of that House, a Resolution in favour of the introduction of a legal provision for the Poor of Ireland; he intreated the indulgent consideration of the House, while he attempted to discharge the important duty he had undertaken, a task at all times sufficiently arduous, but which he should then have to perform under circumstances of increased difficulty. An hon. Member of that House, of great knowledge and experience in Irish affairs, who had encouraged him greatly in his present attempt, had assisted him with his valuable information, in reference to it, and who, on that account, would have seconded his endeavours, expired yesterday, lost to this House and to his country, where his life was one unvaried act of benevolence—he meant the hon. member for Louth; a circumstance sufficiently discouraging, which, joined to others of a nature affecting himself, rendered it necessary to solicit the utmost indulgence of the House. But he could assure the House, that had he been more favourably circumstanced, no one within its walls could feel less conscious of his ability to do justice to so important a subject than himself; none who would have more sincerely rejoiced to have seen it in other and abler hands, especially in those of his Majesty's Ministers, to whom it seemed more properly and naturally to belong; but having but too clearly perceived, as well from the tenor of the observations they had let fall from time to time, when the subject of the distresses of Ireland had been brought under the consideration of the House, as from the nature of the measures which they were bringing forward in relation to that country, that nothing was further from their contemplation than such a course, he could no longer hesitate. He would again undertake the task, which he had more than once attempted in preceding Parliaments, and he did so on that occasion with increased, he might say, confident hopes of success: a confidence not placed in the slightest degree upon himself, but resting on the nature of the cause he had ventured to advocate, and in the rapid advancement it had made, and continued to make, in that House, and in every part of the empire; witness (said the hon. Member) the numerous petitions which have been already presented, which spoke with an unanimity on that important subject, which had rarely been expressed on any other. He, therefore, proceeded to submit to the determination of the House this important question, without wasting its time with apologies of a personal nature. "It can be of little moment (said the hon. Member), who commences the contest in a cause which I am persuaded will call forth the most powerful champions; but even if these should fail to appear, it is the cause of justice and humanity, and it will triumph, however feebly it may be advocated, or powerfully, and for the moment, successfully, opposed. But, Sir, I will anticipate no defections, nor any failure. There presents itself at the very outset of this important question, one circumstance of a cheering nature, and which I would fain regard as the omen of a happy result. Different from those momentous topics which have lately engaged public attention, this, not less important than any of them, stands pre-eminently clear from all party or personal views and feelings whatsoever. In the discussion on this subject we advance to neutral, or, as I ought rather to say, friendly ground: and as on the one hand we are divided by no political considerations, so on the other we are united by one common motive, that of the general good of the community referred to. We enter, as it were, some temple of peace and concord, having deposited the weapons of our political hostility at its entrance, and there 'on charitable deeds intent,' we proceed to consider, how we may best relieve an afflicted and long-suffering people, whose miseries every just and generous feeling calls upon us to mitigate and redress. Our aims, therefore, are identical, though we may somewhat vary as to the best means of their accomplishment, and I am anxious to express what I am sure is felt by me, regarding those who, I fear, may oppose on this occasion, what I firmly believe to be the only effectual means of affording permanent relief to the poor of Ireland, namely, that their motives are as pure, and their principles as humane, as my own. And if, in the course of my argument on a subject of so exciting a nature, the matter of which I have indeed anxiously considered—the manner of presenting it little, if at all—I should express myself somewhat too strongly, I trust that I shall not be suspected of meaning anything personal to the feelings of any one. But on entering upon this important argument, I confess that I feel much embarrassed as to the best mode of conducting it. The subject is in itself of so momentous a nature, involving as it does, principles of so high and sacred a character, and requiring as proofs and illustrations the production of facts and statements the most varied and important, that its proper discussion seems to demand 'ample room and verge enough.' But to pursue this course would occupy, I fear, at an inconvenient length the time of the House, and exhaust instead of engaging its attention. The opposite one would, however, indicate an indifference to the cause I have undertaken, or an indolence in the support of it, which I am sure would still more offend against a sense of propriety. I will endeavour, at least, to avoid both extremes, and if I fall into either, I must still hope for a lenient construction of an unintentional offence. But, whatever I may curtail, or whatever I may omit in this argument, God forbid, that in arguing it I should ever cease to place in the order which it claims—namely, as the first and incomparably the most important branch of it—the right of the poor to this provision. I mean not their legal right, touching which, there is happily no dispute in this country—that being as indisputable, as Hale and Paley have remarked, as the right of the rich to their possessions; what I mean is, that right founded upon the laws of nature and of God. To substantiate this conclusive point, I shall not again quote the Jurists of this or other countries, of ancient or of modern times, nor enter into the distinction which some of them have drawn between a perfect and imperfect obligation; the latter of which, in reference to this subject, being, as Burke argues, still more imperative than the former; much less shall I offer any abstract reasonings of my own upon the occasion. I shall content myself with presenting the general conclusion of the highest authorities, in the language of Locke, who, in asserting this right in its most enlarged and peremptory application, declares it to be 'a fundamental law of nature.' Even compared with the rights of property, upon which he is speaking, he declares it to be 'the pressing and preferable right,' and asserts the injustice of withstanding it in the most emphatic terms, exhibiting throughout his powerful and irresistible argument, that sacred union which is ever found to exist between the lights of unclouded reason, and the warmth of genuine benevolence. I will not weary the House by further pursuing an *argumentum ad verecundiam* on this subject: I shall content myself with challenging any who may be disposed to dispute with Locke, to show me one authority of equal note, either in ancient or modern times, that does not concur with him in this important point. And, Sir, this right of nature is also as strongly and unanimously held to be strengthened, instead of abrogated, and enforced by the institutions of civilization, to say nothing, on this occasion, of those of religion, which, I need not observe, are, if possible, still more explicit in relation to it. Here again I will not multiply authorities. Can any one have forgotten what Hale says on this subject, or Blackstone, who declares it to be 'dictated by the very principles of society?' Or, all authorities apart, is there any one, whose unassisted reason and common sense, to say nothing of humanity, would not instantly conduct to the same conclusion? Could the appropriation of property by the few, to the utter rejection of the natural claims of the many, and those laws which rigidly guard such an arrangement, be reconciled on any other principle—to the principles of justice or common sense—than the reservation of this right, small as may be its amount? What would such establish a system of laws, and call it that of civilization, under which a man would be doomed to severe punishment, by being compelled by their neglect to the necessity of breaking them, or left to perish if he persevered in a dutiful obedience to them! Why, Sir, such reasoners would set the first law of civilization, that of property, and the first law of nature, that of self-preservation, in open and irreconcileable hostility. If then, this right of the poor to relief is equally founded on the laws of nature and of civilization, in what sort of attitude does wealth place itself, where it is denied and upheld? The appeal from right to might is as unsafe as it is insulting, and will at length utterly fail those who are selfish and weak enough to rely upon it. Lord Hale convicts such of folly as well as injustice. Where there are many unrelieved poor, he pronounces that the rich cannot long, nor safely, continue such. But, Sir, it is surely unnecessary to enter at large upon the reasons on which a provision for the poor is established, as equally dictated by the principles of justice, humanity, and sound policy. They have prevailed in every age of the world, and in every country of it, as far as the utmost boundaries of civilization, and even beyond them. I shall not, on this occasion, again trouble the House with either the particulars or proofs of this important branch of the argument, which brings the practical experience of mankind, in all ages and nations, in proof of their principles. I shall merely mention the fact as universal. Thus, in the free states of antiquity, especially in those of Greece—in Imperial Rome, as well as in the dominion of her unhappy rival, there was this provision for the poor. In the nations of modern Europe, and especially in those whom certain writers have pronounced as destitute of such a provision, such an institution, more or less perfect in its principle and operation, is invariably found. In the New World also, which has been pronounced with equal ignorance and still greater confidence, as free from such a burthen, a most ample and efficient provision for the poor of every kindred, country, and complexion, is established, and has been in operation from the first era of its colonization, and even before it; for we have it on the authority of ancient and authentic writers, that the civilized states (such they may be called) of America, such as Mexico and Peru, had made the most ample provision for their poor. But at the present moment, wherever Christianity prevails, this provision has constantly accompanied it; and beyond its pale, in the vast and populous countries where Mahomedanism is established, there also exists a legal charitable fund, ample and unfailing in conformity with the laws of their prophet on this important subject. Even in countries, properly called Pagan, where the slightest degree of civilization exists, there also the care of the poor forms a part of their national institutions; especially in China, the most extensive and populous empire upon earth, where, on the authority of its code, translated by an hon. Member now in the House, an imperfect, indeed, but perhaps a more comprehensive system of national relief exists, than perhaps is to be found in any other country. Let us now, on the contrary, ask, which are those nations, and what that state of society to which the impugners of the principle of a legal relief for the poor, can alone appeal in behalf of th ir views upon the subject? Why to nations or tribes wholly uncivilized—to a condition of human nature thoroughly savage, only just raised above that of the brutes that perish, if not indeed below them in this respect. There, indeed, they make no provision for the indigent, but desert helpless infancy, or lingering disease, and immolate decrepit and impotent age. And it just strikes me, that a most powerful advocate for a provision for the Irish poor, Dr. Woodward, exemplifies the condition of the distressed part of them by this very illustration; and, speaking of the cruel neglect to which they are exposed, says, 'It would be a still higher degree of economy, and even mercy, to adopt the refined Indian policy, of putting an immediate end to them.' But to return: if we trace the progress of society from that condition which it is humiliating for civilized man to contemplate, to its highest state of prosperity and happiness, we shall see, that a growing care for the distressed and indigent, marks every step of this auspicious career, till a permanent provision for the poor becomes the most sacred and permanent part of the institutions of the greatest and most polished states. So true is the observation of one of the profoundest writers in this or any other country, Dr. Johnson, 'a decent provision for the poor is the true test of civilization.' Reasoners, however, of an opposite character are to be found, who, disregarding equally the principles and example of mankind in every civilized country, and in all ages of the world, arguing on certain abstract and theoretical principles, would reverse that deduction, and, as Burke exclaims—'subtilize us into savages.' Hitherto, Sir, I have spoken of a legal provision for the relief of the poor, as common to all civilized countries; there is, however, one solitary exception, and that exception, to the disgrace of reason, humanity, and religion, exists in, naturally, the richest part of the richest empire in the world; I mean, of course, unhappy Ireland, to the destitute condition of which, in this respect, I solemnly call the attention of this House. If the provision in question be the undoubted right of the poor (and let those who gainsay this, now advance their arguments to the contrary), why, I ask, is Ireland, in this most important respect, to be placed as it were without the pale of civilization? Why are its poor to be outlawed from the common rights and privileges of British subjects? Sir, no man who has the least knowledge of that part of the United Kingdom can, I think, refrain from acknowledging, that if any distinction in that respect ought to be tolerated in the same empire, Ireland is that division of it which should, on every possible consideration, possess such an institution, even, were the others unhappily destitute of it. Nor can I divine any reasons why Ireland should exhibit this melancholy exception to England, and the rest of the civilized world, which, when examined, do not rise into arguments of the most forcible kind to the very contrary. The only objections which occur to me, as being possible to advance against establishing such a provision in Ireland are, that it is unnecessary, that it is impracticable, that it would be impolitic, or, finally, that other means may be adopted with equal or better prospect of accomplishing the same end; I will, with leave of the House, briefly attend to these several objections, when I think it will be found, that each of them, when duly considered, will rise into an additional argument in favour of a contrary conclusion. I must, however, protest in the first place, against such a mode of determining respecting the right in question, by which an interested party, wealth, constitutes itself the sole judge concerning the just claims of poverty, which has hitherto appealed, but appealed in vain, against its unrighteous decision to the laws of nature and of God! But, waiving for the present any further allusion to the abstract right of the poor of Ireland, to that provision which is established in all other countries, let us come at once to the necessity which exists for establishing a legal provision in their behalf. I mean the necessity, founded upon their deep, continued, and unrelieved distresses. And, on this most important branch of the argument, happily, or, the nature of the inquiry duly considered, I ought rather to say, unhappily, there is no necessity for me to fatigue the House with any lengthened proof. There is not a man within these walls—can there be one in the country?—ignorant upon this important subject, the distress of the poor of Ireland. I mean not distress of a slight and transient nature, but that which is at once severe and permanent; so continued as to be familiarised, indeed, to the experience, but too severe to be reconciled to the patient endurance of the people. A state which, amidst all the changes and fluctuations which have agitated the country, has remained the sole condition of the poor, which has thus exhibited a settled and melancholy uniformity; and which, while unmitigated by any national efforts, has been of too stubborn a character to yield to those temporary expedients which mistaken benevolence, or still oftener ill-disguised selfishness, has resorted to for its temporary mitigation, and which even the bounties of nature, fertile soil and fruitful seasons, have failed to remove. In other communities, fluctuating labour, varying products, and changing circumstances, may occasion temporary sufferings, which are partially felt, and alternately transferred to different industrious classes, so that each which suffers in its turn, leans upon the rest for assistance; or, in some season of general difficulty, the whole are partly supported by the accumulated wealth of the community, by means of its legal institutions, till, thus protected, industry revives, and the general prosperity is again restored; but in Ireland, which is the prosperous pursuit, that can yield its ready assistance to the rest—what the provision which is made for seasons of general depression? There, every spring of industry is at once depressed: the shuttle and the plough are alike unprofitable to the wretched artisan and impoverished labourer. The people are indeed anxious to labour, but they are condemned to involuntary idleness, or remunerated for their work so inadequately as still to consign them to wretchedness, Tens of thousands, indeed, annually traverse the whole breadth of both islands, in search of a few weeks' employment, pouring upon these shores at the accustomed season, that multitude of wanderers, which, like a flight of migratory fowl, indicate the desolation which they leave behind. Tens of thousands leave their ancient homes for ever, and rend those ties for ever, which are perhaps more closely interwoven with the feelings and affections of the Irish, than in those of any other people upon earth. Still the overflowing misery is unabated, and under the present system would remain so, were the country half depopulated. The marks and badges of poverty remain just the same in Ireland as they were centuries ago, when Spencer, and after him Petty, Swift, and a whole host of political writers, described the miserable clothing, the wretched habitations, sties, as such writers have constantly denominated them, in which an Englishman would scruple to house for a single night his pampered brute—food, in quality and quantity inadequate to the preservation of health, being then as now, principally vegetable, and of an inferior kind than even to that consumed at present; a state, in short, always pushed to the utmost extremity of endurance, and to which the common misfortunes incident to humanity, such as the failure of a single crop, the loss of cattle, the illness of a family, the death of a parent, bring irretrievable ruin, when the wretched sufferers have to swell that general mass of mendicity, which is constantly inundating Ireland with misery and pollution. But if the evils to which poverty is subject every where, are thus fearfully increased in Ireland, there are others peculiar to that country, which still heighten the general misery. The constant and vast confiscations in that country, which has been too often parcelled out in immense portions, among the selfish instruments of power, have had the effect of transferring much of the property of Ireland to absentees, the number of whom has been also increased by a variety of other causes. These, as Coke argues, have broken the legal condition on which such property was bestowed; they have, at all events, violated the moral duties which its possession imposed. Evils of the most frightful nature, and of the greatest magnitude, especially bearing upon the poorer classes, have resulted from this cause. It has given rise to that race of Irish oppressors (for such, with some honourable exceptions, they may be regarded)—the middlemen. It has, on the one hand, mainly occasioned the exaction of those exorbitant rents, to which the wretched peasantry of Ireland have been long subject, and, on the other, it has deprived them of that labour by which alone those rents could, in many instances, be perfectly discharged. It has been the means of constantly exhibiting the horrible spectacle of a people starving in a land of plenty, and a country exporting its produce in the very moment of famine. It muzzles the mouth of the ox that treadeth out the corn, which it goads on by privation and insult, to desperation. Above all, it sets the example, and is itself the principal instrument in those sudden and extensive clearances, which if perpetrated in this country, where the poverty so created would have to be sustained, would not be very popular; but in Ireland, where there is no such provision, amount to the height of cruelty. The want of a law in favour of the oppressed there, amounts to a direct encouragement to and premium upon such a course, instead of repressing it, and thus shares the crime of such proceedings. It is idle and false to assert, that these drivings are the necessary consequence of surplus numbers, as some ignorantly allege; on the contrary, the Irish—wretched, and to the full as superabundant—were proportionably full, as when the population did not exceed a fourth of its present amount. The growing numbers of the inhabitants brought successively into profitable cultivation the lands of Ireland, and having done so, were then, and always have been, cleared; so will those in turn be, who are at this moment permitted to settle awhile on the sides of mountains, or on the extremities of bogs; when they have reclaimed these, they will be again driven—when again a grain of surplus produce, as it is called, will be weighed against what is deemed a surplus human being, and, some heartless absentee holding the balance, it is easy to see which way the scale will preponderate. The hand will not tremble with any agitations of the heart, while the fate of thousands are thus determined. These proceedings, however, are one great means of increasing the amount, and aggravating the intensity of the sufferings of Ireland. They form a constant and principal source of that mendicity which overspreads the country districts, and throngs the towns of that country, and which drives to the market of labour in this thousands of competitors, who lessen the demand, and consequently lower the value of labour here, so as in many instances to renew the distress from which they fled. This, then, is one of those peculiar causes of the extreme poverty of Ireland, to which the law itself is accessory, by withholding that relief, which would mitigate, and in many cases prevent, the evil. But, it will be remarked, that I have hitherto adverted solely to that state of distress and suffering which is common to the poor of Ireland; but, Sir, this gloomy picture must be yet darkened, in order to convey a true idea of their real condition. Placed always on the verge of extreme indigence, the slightest reverse plunges them at once into the gulph. Reduce their food in quality they cannot, nor can they diminish its quantity without the most appalling consequences. When, therefore, they encounter those fluctuations in seasons, and failure in produce, which it is the common fate of all countries to sustain, the effect is appalling. Then recur those dreadful visitations which at short intervals have constantly afflicted Ireland, when habitual privation at once increases to famine, and the incipient fever, which the want and despondency of the people constantly produce, rises into pestilence, completing the catalogue of their sufferings, and filling their cup of misery to the very brim. I will not particularize how frequently these dreadful calamities have, in late times, returned upon that unhappy people; nor calculate the devastations they have occasioned. On one of the many pestilences which visited the country during the last century, and which, like all the rest, succeeded to a scarcity, amounting in many districts to a famine, the mortality was enormous: it is stated by Rutty to have amounted to one-fifth of the whole population. What a scene of misery was then presented! One of the most dreadful of the plagues of Egypt repeated in unhappy Ireland. The Destroying Angel then smote an unhappy people, and left a corpse in every cottage! The last fever, that of 1817 (for the late mortality is not yet made known to us), was by no means the most severe, and yet Drs. Baker and Cheyne state, that at least 1,400,000 were afflicted by the pestilence, of whom between 60,000 and 70,000 expired, exclusively of those who had already sunk under that state of want and dejection which then, as in every other instance, preceded that frightful calamity, and indeed produced it. Then was it that multitudes of the poor wretches found themselves destitute in their utmost need of all relief whatever, even mendicancy failed them — they carried infection with them, and were no longer received; many of them cleared and driven from their own native homes, were repulsed when they sought to take refuge in the towns, and had not where to lay their head; some of them, indeed, crept into fever huts, which were suddenly erected on the sides of roads, and in open spaces, where the diseased, the dying, and the dead were crowded together, exhibiting a spectacle of human misery rarely witnessed in any country of the world. Where was that national charity which should have succoured the people at that awful moment, which, in England, would have been a very present help in time of trouble; would have stood between the living and the dead, and the plague had been staid, which spread far and wide, and desolated the country! It was wanting. The distant sympathies of empire were indeed awoke, at least all but those of the absentees, but their relief came too late, the wretched victims had finally escaped from human suffering. Nor can the apologists for the continuance of such a state of things make the miserable excuse that these visitations are unexpected. The experience of centuries is full upon this awful subject. They know that they have constantly occurred, and they are as sure that they will return. Still they oppose themselves as vehemently against a provision which it would be the first business, under similar circumstances, of every civilized state in the world to establish. But I need not draw the attention of the House to a fact to which the deepest consideration, and the warmest sympathies of the country at large are, at this moment, principally directed, namely, the certainty and severity of these periodical seasons of distress, under one of which Ireland is at present groaning. It is not on these that I ground my argument in favour of a legislative provision for the poor of Ireland; these, it might be contended, could be otherwise alleviated. On the contrary, it is that constant wretchedness, which exists among them at all times, and which occasions these scenes of peculiar suffering, which, I contend, demands that provision. These are but occasional heavings of that misery which has constantly afflicted Ireland. The swellings of that dark abyss of suffering, which never abates, over which a spirit of suffering and despair is perpetually brooding and rousing the troublous element to renewed storms and agitations. But, Sir, the House may think I am dealing with this important subject by figures of speech; I will therefore turn to another description of figures, namely, figures of arithmetic, and from them I will demonstrate, beyond the possibility of doubt or contradiction, the accuracy of the dark picture I have drawn of the miserable condition of the poor of Ireland permanently considered—facts, I think, which, through the understanding, will make a deeper impression upon the heart than the most pathetic appeal to the imagination, by whomsoever made, could possibly produce. I shall not, then, fatigue the attention of the House, by pursuing a course which I might well take, and with much effect, namely, verifying my general description by appealing to the unanimous declarations of the most eminent political writers of that country; or by quoting the most intelligent witnesses which have appeared before the various Committees of both Houses, appointed to examine and report on the distressed condition of Ireland; or by referring to those numerous and able medical reports, which have traced to that condition those peculiar and fatal diseases, from which it is never wholly free; but I shall proceed to show, by the incontrovertible evidence of statistical facts, the terrible consequences of the unrelieved distress of Ireland. For this purpose I shall take the census of Ireland, and compare the rate of mortality which it exhibits, compared with that of England and Wales. In the latter, I find, that in the total number of the inhabitants, whose ages were ascertained in the census of 1821, there were under the age of forty years, 8,060,004 persons; of the age of forty, and upwards, 2,469,667. In Ireland, the number under forty were 5,593,855—what then was the number which ought to have been found above that age, had the condition of the people corresponded with that of England? 1,714, 014. But, Sir, there were only 1,199,375 remaining in existence; nearly one-half that amount, therefore, have been swept away by the cause to which I have been referring—unrelieved distress; or, to use the emphatic phraseology of Irish political economists, cleared! Nor, Sir, does this comparison fully exhibit the existing difference. Much of the population of England is concentrated into towns, where, from other causes than distress, an undue proportion of mortality prevails. Let us, therefore, for the purpose of more accurate comparison, ascertain the same proportions in Wales, where the town-population is not relatively so numerous, and in Connaught; both mountainous districts, both principally engaged in the healthiest of all industrious pursuits, agriculture, but the latter the most thinly peopled part of Ireland, and therefore always the scene of the deepest distress. We shall then see more clearly the fatal consequences resulting from the existing state of things in the latter country. There were in the disseminated population of Wales, in 1821, 530,770 inhabitants under forty years of age, and 169,440 above that age. In Connaught there were, at the same period, 927,393 under forty; what number ought to have been found above that age, had the physical condition of the Irish been equal to that of the Welsh? —296,050. There were above sixty per cent short of that number, namely, only 181,644. As compared with Wales, then, for every surviving million in Connaught above forty, 629,836 have been swept off by untimely death; to say nothing of the havoc which disease consequent upon destitution has made in the earlier periods of life. Between six and seven, then, to every ten thus untimely perish! Merciful God, can this be so? It is. What is the havoc of pestilence and war, compared with these, the victims of unrelieved poverty. And before this constant and silent devastation has done its final work, what suffering and sorrow does not this state of things imply! Few and evil are the days of the human pilgrimage was the touching exclamation of an ancient patriarch; but beyond the lot of mortality, to these poor Irish those few days are thus diminished, and their evils thus embittered. But I am perhaps furnishing by these statements, appalling as they are, an argument which, though it will not be ostensibly put forth, will probably be secretly held by not a few, in favour of the present system, namely, that it is the means, no matter how, of thinning the population; to the excess, or, to use their own favourite phrase, to the superabundance of which all the evils of society are attributable. On this subject I will only here shortly observe, that such deceive themselves. It is a fact long ago ascertained, that to diminish the strength, and to shorten the life of human beings to a considerable degree, is not to diminish human prolificness, but the reverse—a principle which the most accurate observers of nature have long admitted, and which Bacon extends to the principle of reproduction even in the vegetable kingdom: and hence it is held as a wise and irreversible law of nature, extending throughout all organized life, that the earlier in any general average existence is threatened with extinction, the more are the chances of perpetuating it multiplied. Such, beyond all controversy, has been the fact regarding Ireland, which, without the intervention of any miracle, has experienced in this respect the fate of another ancient and persecuted people, who, the more they were afflicted the more they multiplied and grew. I throw out this hint for the consideration of those who deem it desirable to thin the population by whatever means; such may connive at the perpetration of a perpetual Spartan cryptia on the poor Irish helots, but it may be as well for them to know that their amiable efforts will all be unavailing. Providence does not see fit to second their patriotic designs of exterminating what they call the redundant population; it confounds and blasts them. I do not throw out these ideas at random, nor am I fighting with shadows] in combating this cruel view of the question. For instance, in conversing some time ago with an hon. Member of this House regarding the Ministerial measure of relief—the shipping off a part of our population to the Canadas, I referred him to the published statements of an officer, regarding the appalling mortality and sufferings to which the Irish emigrants were exposed in that country, to which I may possibly again advert, when he rejoined, 'Well, Sir, to be candid, I neither deny nor doubt the truth of what you say—but the fact is, we have a redundant population, and we get rid of them—so far our end is answered.' To such reasoning as this, as applied to the subject in hand, I reply, that you do not thus get rid of them. The guilt of such attempts is perfectly gratuitous; and the history of that country, as well as the principles of science, prove that the cruelty is equalled by its folly. But to return more directly to the subject. The prevalent sickness and premature mortality to which I have adverted, as produced by the destitution to which so many of the inhabitants of that country are unhappily abandoned, are not the most melancholy of the consequences resulting from that dreadful cause. The dyspeptic complaints with which the lower orders of the Irish are almost universally afflicted at an early age, and which, as a celebrated medical authority has pronounced, are, generally speaking, less consistent with longevity than even organic affections, are not what I allude to; the low and watery diet of the Irish has, on the authority of one of the ablest physicians of that country, overspread it with that dreadful, not to say loathsome, disease, struma; and, above all, has multiplied to the most afflicting degree the most pitiable and degrading condition to which humanity is subject—idiocy and insanity in their worst and most incurable forms. I am aware that those who have inquired much how to benefit Ireland, with the least possible expense, have said much about the necessity of multiplying the asylums for these the most wretched of human beings, and for such as are wholly incurable. Happier, I think, would have been the attempt had they endeavoured to establish that provision which would have saved these wrecks of humanity from their dreadful fate, which would have assisted them while the lamp of reason yet shone unclouded, and would have revealed to their eager gratitude at once the precious boon and the benefactor—a paternal and munificent country. Nor can I refrain from adverting to the moral effect of this neglect of the suffering poor of Ireland. Commencing with the year 1805, the first year in which I find the committals throughout Ireland reported, it appears that since that period those committals have been multiplied seven or eight fold. Some part of this increase may be attributed to the diminished difficulty of tracing offences to their perpetrators; but still, on any just comparison, offences are awfully numerous, especially in a country where, generally speaking, the comparative absence of property diminishes the temptation to a possibility of committing one of the commonest crimes—plundering. But upon this point I will lay no stress; I believe the Irish to be naturally a moral and a gratefully obedient people; but an authority who had as much knowledge and experience on this subject as any man that ever lived, Sir Matthew Hale, argues, in his admirable little work in favour of an ample provision for the poor, that unrelieved poverty is the purveyor for the gallows; and if the instances of criminal offences be numerous in Ireland, the Government of the country, in withholding the right for which I contend, more than shares the guilt. Lastly, Sir, the political consequences of thus habitually neglecting the distresses of the people, has been manifested in the history of the country for a succession of ages. I need not give a catalogue of the barbarous appellations by which Ireland has been successively disturbed and afflicted. They have all sprung immediately, as a late right hon. Secretary of that country asserted, from those local oppressions which have tormented and desolated Ireland, and to which Government itself has been accessory, by affording no relief to the distresses thus constantly occasioned. 'Distresses,' says Lord Bacon, 'are so many votes for troubles;' and, need I say, how vast are the number of the suffrages in that unhappy country, whatever be the ostensible occasion which solicits them? A still more experienced observer on such matters, Lord Hale, asserts, that 'poverty makes men tumultuous and unquiet—where,' says he, 'there are many very poor, the rich cannot long and safely continue such; necessity makes men either stupid or desperate.' He, therefore, declares that a due care for the relief of the poor, among its other recommendations which he enumerates, is 'an act of great civil prudence and political wisdom.'—That act has, however, never been performed. Hence the sufferings of the people of Ireland have kept up that state of moral and political excitement and irritation, so fatal to the sanity of the body politic; which, when those sufferings have been increased, have risen into phrenzy, when it has taken the strength of the empire to bind down the wretched victim of neglect and oppression. But I will pursue these melancholy topics no further; nor need I recapitulate what I have already advanced. The distress of the poor of that country, heightened by circumstances peculiar to their state, constantly great, and often excessive, demanding at all times legislative relief, and especially at the present moment, and yet wholly neglected, except by those occasional assistances, which, both in their nature and extent, mock the suffering which they can never alleviate;—I say this dreadful picture is impressed too fully upon this House and upon the people of England to demand any effort at description on my part, which, if made by infinitely more powerful advocates than myself, would still fall far short of the dreadful reality. Let us then shortly inquire what can be the causes of this afflicting state of things, in a country which forms a part of the richest empire upon earth, and where, therefore, those sufferings are heightened, and humanity itself insulted, by the unnatural contrasts perpetually exhibited. First, the inquiry presents itself, infinitely the most important in reference to the subject, whether there is any natural cause of this continued poverty to be found either in the country itself, or in the character of its inhabitants? And here, at all events, no difference of opinion can possibly arise, and in answering this question I will again avail myself of the language of Bacon, on this subject; who, in enumerating the natural advantages of Ireland, has not, I think, omitted any one source of national wealth with which a partial Providence can endow any country upon earth. 'This island,' says he, 'has so many dowries of nature, the fruitfulness of the soil, the excellency of the climates, the ports, the rivers, the quarries, the woods, the fisheries, and especially its race of valiant, hardy and active men, that it is not easy to find such a conflux of commodities, if the hand of man did but join with the hand of nature.' The natural prolificness of Ireland is, however, rarely disputed; but its miseries are not unfrequently attributed to another cause, and it is said that the distresses of Ireland are chargeable to its surplus population. This, therefore, dictates the second important inquiry—excessive numbers, whether this be the real cause of the general distress. It is notoriously otherwise. There is no one who has the slightest knowledge of the subject that is not perfectly aware of the utter fallacy, the extravagant folly of such a supposition. Let those who, on the subject of the extreme poverty and degradation of Ireland, repeat the cuckoo note of the economists 'surplus population,' and suppose they have solved the fearful political enigma which the condition of Ireland propounds, stand forth and say whether they do or do not know, that the misery of the Irish, arising either from the nature and insufficiency of their food, their clothing, and their habitations; from the dearths and famines, and the epidemics, which they periodically endure, more fatal often than the plague; from the constant want of labour, and its inadequate remuneration—were evils which did not exist, to a still greater degree, when the population was notoriously scanty, not a third nor a fourth of its present amount, and when the political economists of those days attributed these sufferings to a paucity of population, and busied themselves about the task of replenishing it; always busied, therefore, in attempts beyond their reach, and neglecting the obvious duties dictated alike by policy and humanity, and easy to perform. But to attend to the present assumption; so far from the increase of the population having occasioned these evils, it has clearly mitigated, and would, with efficient institutions, have removed them. The amelioration of the condition of Ireland in all these respects, is universally acknowledged; still much remains to be accomplished. But to attribute effects in full operation centuries ago, to alleged causes which have only recently had any existence, is a doctrine too paradoxical, one would have thought, even for the adoption of political economy. To place such absurd notions in a still clearer point of view, Ireland, a century ago, having only about 2,000,000 of inhabitants, imported grain in considerable quantities; still multitudes of her people were starving. This year, with at least quadruple that population, she will export, I should suppose, 18,000,000, or 20,000,000 of bushels of corn—multitudes of her people are still starving; meantime the exports of cattle have enormously augmented. So much for the question of surplus population, as compared with surplus produce. Again, Sir, the alleged minute division of the farms in Ireland as the cause of much of its distress, is an equally erroneous assumption. In proof of this I will not advert to the condition of the provinces of Flanders, where, with about thrice the population on the same space, and with naturally a far worse soil, the cultivators down to the labourer are, or at least were, to a late period, comfortable and prosperous, furnishing abundance to their own country, and a surplus of at least one-third for the supply of others—a most instructive lesson, I think, to this country. I will simply allude to the state of Ireland in this respect, on which a most unaccountable delusion almost universally prevails. By adverting to the census, it will appear, that were the land of Ireland divided among the agricultural families, there would be at least, from thirty to forty acres to each. But it is not so divided: on the contrary, it is represented as one great cause of distress, that much of it is held in very small portions. Well, then, the remainder must be in the hands of very extensive cultivators, the bulk of the people, or labourers, having only a little plot of land round their cottages, a state the most desirable to be conceived, were it accompanied with corresponding regulations. Meantime, however, I will venture to assert,that in those parts of the country where the population is the most dense, or, in other words, where the property is the most divided, there is it the most valuable; and there is found the greatest degree of peace, comfort, and prosperity. the local condition of Ireland at this moment fully warrants my assertion, which is corroborated by the most intelligent witness which have appeared before the different parliamentary Committees appointed to examine the state of that country. But, Sir, the pretence that Ireland is too densely peopled, in reference to either its fertility or extent, is almost entirely abandoned, and another convenient reason is alleged for the distress and poverty of Ireland, namely, the supposed indolence and improvidence of the Irish character — a cause not one whit less erroneous than the preceding ones, and which adds insult to the injury inflicted upon that country. That they do not labour when it is impossible for them to obtain work, nor save, when extortion leaves them no means of accumulation, I do not mean to dispute, and that these are the reasons for these imputations upon them, I have the authority of Sir John Davis for asserting. But every writer upon that country, and all the evidences that have been called before your Committee, in reference to its condition, have been unanimous in describing them as most anxious to obtain work, and as grateful for it when afforded them.

Read, for instance, Mr. Griffiths' recent report on the roads in the southern districts of Ireland, and you will find him pourtraying the Irish character in these respects in a very different manner. He not only describes the industry of the Irish labourers when employed, but their great care and frugality, the saving of their wages, and erecting, by these gains, comfortable cottages, purchasing implements of husbandry and cattle, and becoming all at once, as it were, prosperous and happy. But, Sir, had we no evidence or disproof of these constantly repeated accusations but that of our own senses, I think, few of us could fail to be convinced of their fallacy. Thus, either in this country, or in the new world, wherever labour is to be obtained, no matter how hard or revolting, there are the Irish. Look at them in this the most laborious season of the year. Thousands of them annually traverse the breadth of both islands, and cross the sea that separates them, in search of a few weeks' employment, which, when obtained, they work like slaves, and live like ascetics. When, resisting every temptation, some of which I fear would be too hard for many of their accusers, they carry home almost entire, their hard earnings in their tattered garments, I wish I could say, an offering to lay on the humble altar of domestic enjoyment, but on the contrary, wherewithal to pay those extortionate rents which are demanded for the wretched cabin, raised by themselves, which affords them shelter, and the narrow plot which furnishes them with scanty food. Thus conducting themselves, they are, nevertheless, accused of indolence and improvidence, and while deprived of labour at home, and thus eagerly searching for it elsewhere, the economists exclaim, in the language, and with the feelings of an oppressor of ancient times "Ye are idle! ye are idle!" It is, therefore, neither to Providence, nor to the country itself, nor to the number of its inhabitants, nor to their character and disposition, that the distress of Ireland is attributable. But it is to a want of provision for the poor, and to that evident and inveterate evil, absenteeism, with those co-actions, clearings, and drivings, which it occasions, that want of labour and lowness of wages, which also spring from the same cause, which aggravate the evil to which they are thus exposed, and above all to the former, a want which would prevent the perpetration of many of these wrongs and mitigate their consequences, when inflicted; it is to these causes, and especially to the last, that the evils long endured by that unhappy country, are clearly chargeable. And it is only by giving to it a system long ago established in England, and to which, notwithstanding all declamation to the contrary, the great superiority in its general condition of the lower classes, is mainly owing, that these deep and inveterate evils can alone be mitigated and removed. But the opposers of such a provision for the poor of Ireland assert, that its introduction into that country is impracticable, owing, on the one hand, to the general poverty and unsettled condition of its people, and on the other, to the impossibility of finding proper instruments, or, as they express it, machinery by which to carry it into execution if legally established. I totally deny both assumptions. With regard to the first, hard, indeed, is it upon that country, that the very poverty which had been created by this long continued and cruel neglect, should be held a valid reason for the continuation of this state of things; and that cruelty and injustice should plead prescription. Ireland, left in the situation in which England found itself after the infamous confiscation of her charitable foundations, the abbeys and monasteries, stands in precisely the same need of a poor-law, as did the latter, and is in at least as favourable a situation and condition for establishing it. Look at the indigence of England at that period, and the crime and suffering which it created. Did these constitute a sufficient reason in the estimation of the great and benevolent men of those days, for withholding from the poor of the people their just rights? On the contrary, such considerations quickened them in the performance of that great duty, and above forty Acts of Parliament were passed, after the dissolution of the monasteries, till the passing of the Act of the 43rd of Elizabeth, all having the same object—a legislative relief for the poor. How many general laws have been passed in Ireland during the same period for a similar purpose? Not any. And the consequence is, that their distress remains unrelieved and unabated. The condition of England at that period was just the counterpart of that of Ireland at present, and in no respect preferable. Hollingshed tells us, that just before his time, there were not above two or three houses in an upland town that had chimneys, and often not so many; he describes the people (not the paupers), as sleeping upon straw with a log for their pillow, and their food and clothing correspondent. Clearances, precisely similar in their motives, and consequences with those of Ireland, were perpetrated in those days. "The husbandmen," says Sir Thomas More, "be thrust out! Poor silly wretched souls! Men, women, husbands, wives, fathers, children, widows, woeful mothers with their young babes—away they trudge out of their known and accustomed houses, finding no place to rest in. And when they have wandered till their all is spent, what can they do but to steal, and then, justly, pardie, be hanged, or else go about begging. And yet, then also they be cast into prison as vagabonds, because they go about and work not, whom no man will set at work, though they never so willingly proffer themselves thereto." Of these poor wretches we learn, that 72,000 great and petty thieves were put to death in the reign of Henry 8th. In Elizabeth's time rogues, we are told "were trussed up apace, and, that there was not a year commonly wherein three or four hundred of them were not devoured by the gallows in one place or another." Strype, speaking of one county alone, Somersetshire, says, "Forty persons have been there executed in a year for robberies, thefts, and other felonies; thirty-five burnt in the hand; thirty-seven whipped; 183 discharged; and that those that were discharged, were wicked and desperate persons. Notwithstanding this great number of indictments, the fifth part of the felonies committed in the county were not brought to trial. The rapines committed by the infinite number of the wicked, wandering, idle people, were intolerable to the poor countrymen, and obliged them to a perpetual watch of their sheep-folds, pastures, and corn-fields. The other counties of England were in no better a condition than Somersetshire, and many of them were even in a worse; there were at least three or four hundred able-bodied vagrants in every county, who lived by theft and rapine, and who sometimes met in troops, and committed spoil upon the inhabitants. If all the felons of this kind were reduced to subjection, they would form a strong army: the Magistrates were awed, by the association and threats of the confederates, from executing justice on the offenders." Such was the condition of England at that time, when the sudden and strikingly beneficial effects of the introduction of the Poor-laws is recorded by a contemporary authority of the highest order—Dalton. Lithgow, at about the same time, mentions the extreme poverty of the Irish, and earnestly recommended a similar provision on their behalf; and happy would it have been for both countries, had such been the case. Ireland would then have advanced with at least equal steps in the great career of national improvement, and have amply repaid the act of justice and beneficence. I might have extended the description of the state of England at the period referred to, to a variety of particulars, all conclusive as to the fact of its condition, in almost every respect, being not better than is that of Ireland at the present time, in many particulars, doubtless, greatly inferior. I will only advert to one particular in proof of this fact, so important to my present argument. Perhaps one of the most striking and obvious proofs and indications of the condition of society and of the existence of national wealth, is the number of that noble animal, so necessary to the use, convenience, and distinction of mankind, the horse, found in any civilized community as compared with that of the inhabitants. Now, in the period I have referred to, we are informed there were only 20,000 horses in all England; at the present time there are more than that number kept for pleasure alone in Ireland; far more than ten times as many in the whole. But to return. In adverting to the two great objects of the Poor-laws of England, and which must ever remain the prominent features in any similar institution, namely, the providing of labour for the unemployed, and the administration of relief to the impotent poor—what is there, I would ask, in the present state of Ireland, which can induce any one to suppose that both are not attainable? Regarding the latter, relief for the impotent, there can, I hope, be no dispute; it is only in reference to the practicability of the former, the providing labour for the unemployed, that strong doubts are entertained. And still when we advert to the preceding descriptions of the condition of England, given on the highest authority, can a shadow of doubt remain upon any man's mind, as to the unemployed poor of

England, at the period adverted to, having been more numerous than are those now similarly circumstanced in Ireland? That the profitable employment of the latter is, at this moment, a far easier task than it was in the former instance, is a still more obvious fact. I allude not to that increased demand for the products of labour, which the great improvement in society has occasioned; nor yet to those great local and national improvements, which present themselves in that country in every direction; tasks which would profitably employ multitudes, and permanently repay the labour that they would demand, and which, if neglected in this, await future generations.' No, Sir, it is unnecessary for me to advert to such means of employment. The law of Elizabeth prescribed that stocks should be procured, and that the unemployed should be set to work as manufacturers; the law, I hope of William 4th, will, I trust, direct that the idle shall be employed in what Montesquieu calls the manufacture universal—cultivation; a far more certain and efficacious course. I shall not encumber my argument, which I mean, on this occasion, to confine to general principles, by showing how easily and beneficially this might be accomplished; and the inevitable result would be, that the lands in cultivation would be infinitely better tilled, and the general improvement of the wastes greatly increased and extended. Sir, I would ask whether a stranger to the situation and circumstances of the British empire, would deem it credible, that within its confined limits, some of its most fertile districts were totally uncultivated; others, still more extensive, very imperfectly improved; that multitudes of the people were either wholly or partially unemployed, and still, that a demand to an enormous and increasing extent was made upon the products of other countries; products which, under such circumstances might be raised with greater certainty, plenty, and cheapness, in our own? What would be thus deemed incredible is nevertheless the fact, and to an extent which would hardly be believed possible, were not the documents at hand which fully prove it. Thus, Sir, leaving totally out of the calculation that vast increase in the crops of Ireland, which might be obtained, were more labour employed in tillage, there are almost five millions of acres wholly uncultivated, nearly half of which is land of a highly productive quality; here there is a field for labour, in the simplest and most certain form, almost inexhaustible. Would there be any demand, for the products of this labour if it were thus employed? There is the best market in the world in the very heart of the country, and close at hand. Those wastes would produce corn, cattle, cheese, butter, flax, hemp, rape, linseed, tares, madder, not to mention tobacco, the culture of which is forbidden, though as employing more hands than any other culture, is peculiarly fitted for the state of Ireland, where labour is so unhappily redundant. Well, Sir, England takes from foreign countries, from 20,000,000 to 30,000,000 of bushels of corn; about 150,000 cwt. of butter; 100,000 cwt. of cheese; 1,000,000 cwt. of tallow, about 1,200,000 cwt. of hemp and flax; 150,000 cwt. of clover seed; 2,000,000 bushels of linseed; 450,000 bushels of rape seed; 100,000 bushels of tares 100,000 cwt. of madder, to say nothing of many other articles of foreign growth, perfectly adapted to the soil and climate of Ireland. Why, Sir, the production of a part of these only would demand the exertion of every individual pronounced redundant in Ireland, and by increasing the demand, would raise the remuneration of labour, improving the food, the clothing, the habitations of the lower classes, and in one word, bestowing plenty, and conferring peace on the whole community. Nor, Sir, is this all. Half the advantages of such an increased production and intercourse is not yet told. The increased comforts of the Irish labourer and agriculturist would augment to an equal extent, that of the English operative and manufacturer, the products of whose industry would be increased in demand, and heightened in value, by so beneficial a policy. The market thus created by the improved condition of seven or eight millions of our fellow subjects, would infinitely outweigh in value, those casual and uncertain openings to our commerce, whether in the Old World or the New, which distant countries may occasionally and reluctantly afford. On the one hand, the necessaries of life cheapened in price, and less fluctuating in their supply, would no longer be controlled by the varying produce, or the uncertain policy of foreign states; on the other, the demand for our manufactures would in a great measure be relieved from the fluctuations and reversals, almost equally distressing. The public revenue would at the same time enlarge with the increasing prosperity—the heavy load of taxation would be no longer oppressively felt—the triumphs of the plough would succeed those of the sword, and bury the national grievances for ever. Thus would the body politic be fed, invigorated by a constant and healthful circulation; the empire would stand erect among the nations, strong and self-dependant; and, leaning upon its own resources, would extend to the nations the right hand of fellowship, or the shield of defence, and form a reciprocal and beneficial intercourse with every country upon earth. This, Sir, I hold to be no visionary idea; it is one which is sanctioned and dictated by the experience of every country which has hitherto risen to power and prosperity, and, indeed, only extends the principle upon which the foundation of our own prosperity has been laid. The employment of the population leads to this sure and happy result; and, in addition to the realization of its fond and disinterested intention, a provision for the poor, is returned a hundred-fold into the bosom of the community that makes it, in increasing wealth and prosperity. But it will be objected to all this, that these great advantages cannot be secured, nor the Poor-laws introduced into Ireland, from a deficiency of what is called machinery to carry them into operation. I totally deny this. There are at least as good materials for creating that machinery in Ireland at this time, as there were in England at the period of their introduction, and yet our legislators made no such objection. But, if this were the case, it would be one of the most certain, and not least beneficial effects of the system, that it would create that machinery, and thereby establish a sort of moral police throughout the community of incalculable advantage to its character and interests. It would call into exercise, if not into existence, many of those qualities necessary for the purpose; it would stimulate wealth to the performance of its duties, if not by nobler exertions, at least by the certain and prevalent inducements of interest and necessity; and it would recall absenteeship to some consideration of the state of a people thus deserted and oppressed. But, Sir, it is the grossest insult upon the character of the country, to pronounce it at this moment, destitute of a numerous class who would fully and faithfully discharge the duties the system would impose. What, Sir, when we see, that the work of exaction never fails of its completion for want of instruments—that the public revenue suffers not for want of an organised system of collection—that public justice can pursue to punishment its victims, with a celerity and certainty of late almost unparalleled—shall it be said, that when duties so gratifying to the best feelings of the human heart, and so congenial to the Irish character in particular, have to be discharged, that none could be found willing or adequate, cheerfully to undertake and faithfully to fulfil them? Such, I repeat, is the deadliest insult that was ever levelled at the Irish people; but it is happily wholly unfounded. No man who has considered the condition of the two countries at both periods, can for one moment doubt, that Ireland has an equal necessity and superior means, for establishing a provision for her poor, compared with England at the time of its introduction here: and I think few can dispute, that the effects would be equally great and beneficial. But, Sir, it is often said, that the introduction of Poor-laws into Ireland will destroy that voluntary charity which now exists in Ireland. Voluntary charity! On whose part? The voluntary charity of the wealthy of that country? If the absence of a legal system of relief for the poor was the best means of encouraging the exercise of private and voluntary charity, no country on earth ought to have exhibited such heroic acts of munificence as those performed by the wealthy of that country. But, what said the right hon. Secretary on a late occasion, when calling the attention of Parliament to the distresses in the west of Ireland, which had then risen to so alarming a height as to arrest the attention of Government? Why, he said, that the great land-owners in that entire district, urgent and great as was the distress, had then contributed only the sum of 10*l*. to its mitigation. In the calamitous year of 1817, we learn, on the authority of a right rev. Prelate, that in an extensive district, where the property owned by absentees amounted to 80,000*l*. or 90,000*l*. per annum, the sum of 83*l*. only was subscribed, though they were personally applied to. Why, Sir, if the absence of Poor-laws is such a nurse of voluntary beneficence, the flame of divine charity would by this time have mounted to heaven, and shed its lustre and spread its warmth over the whole community. But, alas, for the supposition, the contrary is the melancholy fact. It is only on the solid foundation of justice that mercy builds her purest trophies. But, Sir, if it be meant that the establishment of Poor-laws would interfere, in some sort, with the charity now dispensed to the mendicants of Ireland, who are relieved by those almost as destitute as themselves, I answer, that it is high time this method of relief were abolished. It is a shame and a disgrace to the wealth of a country, to leave the relief of poverty principally to the poor themselves; that they must spare out of their inadequate means that which renders them still more wretched, and very imperfectly relieving the miseries it seeks to succour, spreads the suffering and the contagion of beggary throughout the whole community. Sir, the time fails me, and I am sure I am exhausting the patience of the House, otherwise I had meant to have entered somewhat at length into other, and not unimportant objections, against Poor-laws, all of which, I am confident, resolve themselves, when duly considered, into arguments in their favour. I must, however, content myself with merely recapitulating them, hoping to be indulged in a somewhat lengthened reply, should they be urged against the proposition I am about to submit to the House. The first of these which I shall notice is, the supposition that Poor-laws have a direct tendency unduly to increase population; the very reverse of this I could readily prove—but this objection, paramount as it was long held, is now so generally abandoned, that I shall not further allude to it on this occasion. The next is, that the institution of a national system of relief has a direct tendency to suspend or destroy the exercise of private and voluntary charity, and to destroy the domestic virtues of the poor; and, generally speaking, to indispose the community to the exercise of voluntary charity. This I also deny. There is no country in the world, where, among the inferior orders, the domestic duties are more faithfully discharged than in England; and as to the latter part of the accusation, from whatever quarter it comes, I challenge those who make it, to produce a community upon earth where a nobler structure of voluntary charity is erected, though it rests upon the broad basis of a national provision for the poor, than in this country. Let this be disputed, and I am ready with proofs of the fact. It is also affirmed, that a provision for the poor has a tendency to make the labouring classes idle and improvident. Who has ever made this accusation against the labouring classes of England? Patient of toil beyond any other class upon earth, slaves not excluded; in every market of labour they are preferred before competitors of any other country; nor is their conduct inferior with whomsoever compared. In fact, the bulk of the people of England, from their youth upwards, labour longer, and more intensely, than is consistent with the preservation of health, or the dictates of humanity. Lastly, Sir, the great objection to a Poor's-law is, that it would finally absorb the property of Ireland. To this objection, which I am aware is deemed the most powerful and conclusive of any that has been advanced, I shall content myself at present with giving a direct and positive contradiction, again appealing to the experience of this part of the empire during more than 200 years; during which time I will venture to assert, that the sums disbursed by means of the national provision for the poor, have, compared with any other item of national income or expenditure, exhibited a constant and regular diminution, while the number of those which have been assisted or sustained by this great legal charity, has also, in relation to the population, manifested as striking and uniform a decrease. I should be content, however, that the law which should establish the provision, should limit the extent of the contribution in all cases, reserving to those districts which should be the most heavily burthened, the privilege of obtaining assistance, to a certain extent, from others more favourably circumstanced, agreeably to the original provision of the law of Elizabeth, which wisely united, as far as was practicable, the advantages of local economy, with a partial equalization of the funds contributed by different divisions, for the same purpose. I am aware, however, that, after all, the system would, to a certain and limited extent, absorb a certain proportion of the property of Ireland, and especially of the absentees, and this, so far from being an objection, I hold to be one of the advantages of the proposition. What is it that the poor Irish want, but to absorb some part of that produce which they raise in such abundance, and to retain a portion of that wealth which is now annually abstracted from the public stock of the country? To absorb some part of the wealth it thus produces, would indeed refresh and invigorate the country; the thirsty and parched soil in the drought of summer thus absorbs the genial showers, which drop grateful from above, investing it with renewed verdure and fertility. But, after all, Sir, these fears of Poor-laws, absorbing the whole wealth of a community, are so far from being just, that the very contrary is the result wherever they are established. Not only does their operation greatly increase the prosperity of all such countries; but, considered apart from all other considerations, the systematic method of relief they introduce is found, upon any just calculation, to be the most economical, as well as effectual mode of relief, for the most indigent part of the population, that could be adopted. Regarding Ireland, this interesting fact is demonstrably true, and has been asserted by the most intelligent witnesses of all parties, examined by the various Committees which have been appointed from time to time, to examine and report on the state of Ireland. When I last addressed the House on this important subject, I gave a calculation which I will not repeat, by which I think I proved most fully, that what with the Grand Jury presentments, which are so large in amount, much of the proceeds of which are devoted to arrant jobbing, the curse of Ireland, and disbursed, therefore, so as to disgrace the rich without relieving the poor; and what with the exactions of the innumerable mendicants who levy daily contributions on that warm-hearted and charitable people to so great an amount; to say nothing of those immense items in the national expenditure which are incurred for making an ineffectual attempt to keep a people quiet in their sufferings, whom a different treatment would restore to peace and overwhelm with gratitude;—a larger sum is expended than would be required by a legal provision for the poor, even were the English system, with all its imperfections, in full operation in that country. On the bare score of economy, therefore, I am persuaded that the measure I propose for Ireland would be one of the most beneficial that could be introduced. I have purposely avoided, on this occasion, advancing an argument, which I perhaps ought to have put prominently forward—namely, the interests of the working classes of any description in this country, which are deeply implicated in a legislative provision for the poor of Ireland; as I cannot refrain from believing, notwithstanding all the arguments put forth to the contrary, that such a provision would raise and sustain the value of labour in that country, by increasing its demand; and that, consequently, the market of labour in this part of the empire, would, of necessity, be greatly benefitted. I never wished to throw the slightest obstacle in the way of the labouring classes of Ireland coming to this country in search of work; all I would ask is, that the same class, in both countries, should be placed upon the same footing. At present I cannot refrain from believing, that the want of a Poor's-law in Ireland is a grievous injury to the industrious classes of England, who find their labour interfered with, and its value lessened, by that influx of Irish workmen of every description, who are driven to these shores by mere want and destitution. But, Sir, it is not upon any local or interested views and considerations that I would rest my argument in behalf of a legislative provision for the poor of Ireland. The laws of God, of nature, and humanity, equally demand its establishment. The deep poverty and distress existing at all times in that country, deserted as it is by those who ought to be its protectors, and those occasional visitations of severe suffering, one of which is now afflicting the people, render that demand more urgent. The story of that country, for a long succession of generations, sufficiently shows that no other means of relief will be effectual. On any increase of the miseries of the inhabitants, and when distress rises to an insufferable height, some ostentatious, but inadequate attempts, may be made for its relief. But if you listen to selfish counsels, and institute no permanent provision for the poor, the history of past ages of suffering will be only repeated in succeeding ages. Succeeding ages did I say? No! The continued neglect, and consequent injury, of a great and growing people, as sensible of resentment for inflicted wrongs as they are of more grateful impressions under a kinder treatment, will endanger the peace if not the integrity of the empire. At this moment the distresses the people suffer, the tolerated desertion of so large a portion of the wealthier classes, and the absence of all legal provision for the poverty thus occasioned, are loosening the attachment which many of the inhabitants of that island had cherished for an intimate connection with this; and the Anti-unionists, it must be confessed, are hourly gaining strength, and their triumph would be the downfall of this great and ancient empire. A dark cloud of suffering has long hung over the west, where the angry elements are again heard from afar, and threatening that storm which may again shake the empire to its very foundations. The time is come when property must be taught that it has duties to perform as strictly and righteously due, as those it exacts from poverty. Politicians and economists may agree as they please, but their palliations and apologies will not much longer avail. Nor can the people of this country any longer bear that their fellow-subjects of Ireland should be deprived of their natural rights as human beings; that they should be habitually deserted in that condition of distress which is common to them, or in their severer calamities that they should be assisted by a begging-box called round the kingdom; that their miseries should be assuaged by the proceeds of a masked ball, and their dying agonies consoled by means of a bazaar or a ball. No; they demand a provision for them, a certain adequate and legislative provision; and in this, their demand, who shall say, that the voice of the people is not the voice of God? Sir, many other arguments in favour of the important proposition I am about to submit to the House press for utterance; but I have already, I fear, fatigued its attention. I shall, therefore, refrain from presenting to its consideration other facts and statements which I meant to have adduced. I am deeply sensible how imperfectly I have advocated the great cause which I have undertaken, and to which I had given my feeble, but sincere efforts, long before I had the honour of a seat in this House, and when the proposition had few advocates on either side of the water. Many of the strongest arguments in favour of Poor-laws, I have omitted to urge on this occasion, having, on more than one preceding opportunity, already presented them to the House: others, I am aware, I am entirely foregoing. But I feel confident that the cause will suffer nothing from this course, as others will follow me in this discussion, who, I am sure, will more than supply those deficiencies of mine, which are the more apparent from the deep and permanent importance of the subject. I have purposely avoided submitting any plan to this House, being persuaded that the better course was, in the first instance, to gain, if possible, its sanction to the principle; that obtained, I should proceed to lay next under its consideration the outlines of a measure in the form of a Bill, founded on the principle of a compulsory provision, limited, at least for the present, in its extent, and discretionary relief, chiefly under the control of the principal contributors. But upon these points I shall not now enter. I shall now merely submit my Resolution, which I earnestly hope the House will affirm on this occasion. It must be obvious to all, that things in Ireland cannot long go on as they do at present; that, however argued against, and for a time successfully resisted, a provision for the poor of that country must be made. Let it then be made, while, in the sight of God and a grateful people, it shall have the merit of a voluntary act. Let it not be delayed till what ought to flow from the noblest attribute of humanity—disinterested benevolence, become the offspring of the basest and most grovelling feeling of the mind, fear. Lose not the grace of an act which, if promptly and willingly done, will kindle the gratitude of a nation; repay the wrongs of many generations, and join in closer and indissoluble bonds, the sister islands, which can only be prosperous and happy while united by affection as well as law. Disregard the suggestions of selfishness, and dare to be just and humane. Do justice, love mercy, and leave the event to Him who has constituted that sacred rule as the road to national, as well as individual happiness and prosperity. I beg leave, Sir, to move, in the form of a Resolution, that it is the opinion of this House, that it is expedient and necessary to constitute a legal provision for the Poor of Ireland."

Mr. John Weyland seconded the Motion.

Mr. *Strickland* felt himself sorry to be obliged to oppose the motion of the hon. Member. He was impressed with the sincerity of the hon. Member who had so eloquently addressed the House. It really was impossible not to agree to much of the reasoning of the hon. Member. It brought to his recollection the observations made by a noble Lord (Lord Holland) two years ago. That noble Lord said, it was easy to state the distresses of the poor, but difficult indeed to find a remedy. He could not go to the extent which he understood the hon. Member had recommended. He would willingly provide, by rates, for the aged, infirm, and sick. Such persons had a common claim on humanity. The proposition of the hon. Gentleman was, to introduce the Poor-laws of England into Ireland. [Mr. *Sadler* did not go to that extent.] He was happy to hear such was not the plan, because it involved great inconvenience. He had listened with great attention to find out what the exact plan of the hon. Member was. The Irish Members had a right to say, "Before you introduce the Poor-laws to Ireland, amend these laws as they apply to your own poor." The hon. Member complained of the abuse of the Poor-laws, and adverted to the commencement of those laws in the reign of Elizabeth. The Statute in that reign did not give relief to all. The intention was, to provide work for all who had not employment—all who had not a daily occupation—the aged, the blind, the sick, and infirm: but he could not bring his mind to consider sturdy labourers as the objects to whom the property of the community was to be given. The Poor-laws worked well during 180 years, but, about forty years ago, Mr. Pitt gave a new turn to the claims of paupers. That Minister had great influence over the Magistrates, and, unfortunately, his views on the Poor-laws were not sound. Mr. Pitt held, that every person reduced to pauperism had a claim on the property of the country. Mr. Whitbread, at a subsequent period, contended that it was impossible to make the funds of the nation applicable to all classes. He was of the same opinion, and even thought that parishes and local districts ought to have a discretionary power in distinguishing objects, and making provision for those only who appeared justly entitled to parochial relief, under the spirit and meaning of the Act of Elizabeth. As the Poor-laws were now administered, every man out of work might demand relief, and he was sure, nay, he defied contradiction, when he asserted, that to introduce laws founded on that principle into Ireland, would be the ruin of that country. Mr. Sturges Bourne's Act, for the appointment of Select Vestries or Committees to manage the affairs of the poor, which was the only Act from which he thought some hints might be taken, had done much towards promoting a better administration of the Poor-laws. He considered it an excellent Act, as it gave the rate-payers a power over the application of the rates; but another Act, which Mr. Sturges Bourne introduced, namely, the Act for regulating votes in Vestry meetings, had cast considerable odium on the Select Vestries' Act. He certainly was of opinion that it would be impracticable, and most injurious if practicable, to introduce the English Poor-laws into Ireland. At the same time, a well regulated system of Poor-laws, adapted to Ireland, would be productive of most beneficial effects.

Colonel *Torrens* concurred in the principles so ably stated by the hon. member for Yorkshire. He (Colonel Torrens) was decidedly favourable to the introduction of a modified system of Poor-laws into Ireland—a system by which the majority of rate-payers in each parish should voluntarily assess themselves for the relief of the impotent poor, permanently incapacitated from earning their own subsistence. But with respect to the other system, advocated by the hon. Member who introduced the Motion, he must venture to express his dissent. He had given his best attention to the plan of extending to able-bodied labourers, when wages were deficient, the right to compulsory relief; he had endeavoured to view this important question in all its bearings, and to trace it throughout all its consequences; and the result of his deliberation was, an increasing conviction of the danger of entering upon a path whose termination no man could see, and from whose windings and labyrinths there could be no retreat. He was surprised at the hasty and inconsiderate manner in which opinions upon important subjects were taken up and promulgated. The question of compulsory relief involved all the most important questions of political economy, of social government. The causes which determined the wages of labour, the profits of capital, the rent and value of land—all these were more or less involved in the wide and momentous question of establishing a Poor-rate in Ireland. Yet, strange as it might appear, the hon. Member advocated this measure without reference to the principles of that science of which it formed the most important portion. Nay, it was a fact—a fact which the next generation would scarcely credit—that hon. Members might be found denouncing and disclaiming the principles of political economy, in the same breath with which they proposed measures for improving the condition of the people. The labouring classes composed the great bulk of every community; and a country must be considered miserable or happy in proportion as these classes were well or ill supplied with the necessaries, comforts, and enjoyments, of life. The study of political economy teaches us the way in which labour may obtain an adequate reward; and, if it did not teach us this, it might, indeed, serve to gratify a merely speculative curiosity, but could scarcely conduce to any purposes of practical utility. It claims the peculiar attention of the benevolent and good, mainly because it explains the causes which depress and elevate wages, and thereby points out the means by which we may mitigate the distress and improve the condition of the great majority of mankind. Political economy is not, as has been erroneously stated, the appropriate or exclusive science of the Statesman and the legislator; it is emphatically the science of the people. The hon. Member had encumbered and overlaid this question with a multitude of details; and he would venture to suggest to the hon. Member, that as our knowledge of statistics was lamentably imperfect, no good could possibly be derived from conclusions drawn from imperfect and incorrect data. There was no very accurate or certain information as to the extent of the actual demand for labour, and as to the numbers of the employed, partly employed, and altogether unemployed, labourers in the several agricultural parishes of England. Now, if these facts, which are passing almost before our eyes, have not yet been sufficiently examined and ascertained, how uncertain, how vague, how utterly unworthy, of credence must be the multitudinous statistical details which the hon. Member has gathered from distant countries and remote ages? But, even if the hon. Member had established his alleged facts by sufficient evidence, still he would have performed only half his task. The faculty which accurately observes and records particular phenomena, is widely different from that which distinguishes between accidental coincidence and necessary connection. Facts, however accurately ascertained, may be thrown together so as to present a chaos of heterogeneous and unconnected elements, confounding the imagination, rather than enlightening the understanding. Facts, accurately ascertained, form the only foundation upon which sound principles can be erected. But, in enabling us to judge of the future by the past, facts are of little value until they have been arranged and generalized, and subjected to that inductive process which extends individual experience throughout the infinitude of things, and imparts to human knowledge the character of science. For these considerations, he did not estimate very highly the hon. Member's multifarious statistical details, however laboriously acquired or eloquently displayed. Without entering a labyrinth, to which there appeared to be no clue, he would apply himself directly to the question before the House. The question of establishing Poor-laws in Ireland is an English, quite as much as it is an Irish, question. It must be obvious to the House, that in countries so contiguous and so intimately connected as England and Ireland, two different rates of wages, and two different states of the labouring population, could not permanently co-exist. One of the two events must necessarily occur. Either the Irish people must be raised to the level of the English, or the English degraded to the level of the Irish. There was no alternative. The condition of the working classes in England and in Scotland, could not be preserved from rapid deterioration while the stream of Irish labour inundated the British market, and while steam navigation opened a new and enlarging channel to swell its volume and accelerate its course. The time had now arrived, when it had become the imperative duty of every one whose station or whose knowledge gave him an influence in society, zealously to co-operate in ameliorating the condition of the people of Ireland, if not for the sake of Ireland, yet for the sake of England, and in order to prevent the manners and the religion of Britain from being swept away by the annual irruptions of the hordes of the west. With respect to the English part of this important question, he was prepared to shew, that the establishment of Poor-laws in Ireland could not prevent, or even diminish, the influx of Irish labourers into England. It might appear, upon a superficial view of the case, that, if the Irish poor had a legal provision in their own country, they would cease to seek for employment by migrating to this. It would, however, be found, on examination, that no such effect would be produced. So long as the wages of labour were higher in England than in Ireland, so long would Irish labourers come over to obtain such higher wages. But it was obviously impossible, that the introduction of Poor-laws into Ireland should raise Irish wages to the English level. In Ireland, the wages of common labour were from 3*s*. to 8*s*. per week; in England they were from 8*s*. to 16*s*., being on the average 5*s*. a-week higher in England than in Ireland. There were, upon the lowest calculation, 1,000,000 labourers in Ireland; and to raise their wages 5*s*. a-week, so as to bring them up to the English level, would require an annual assessment to the amount of 13,000,000*l*. But the whole rental of Ireland did not amount to 13,000,000*l*. So that the confiscation of the whole property of the country, and applying the entire rental to the increase of wages, would be insufficient, without any increase of the existing population of Ireland, to prevent the influx of Irish labourers. It was obvious, however, that, if the whole rental of the country were given in aid of wages, the population of Ireland would increase much more rapidly than at present; and, in a very short period, the wages of an Irish labourer, even when increased by his dividend of the rental, would be no more than from 3*s*. to 8*s*. a-week. But the number of labourers receiving these low wages, and anxious to participate in the higher wages of England, would be doubled. Thus the establishment of Poor-laws in Ireland, instead of preventing, would increase, to an enormous extent, the influx of Irish labourers into England. Those English Members who regarded the establishment of a compulsory provision for the able-bodied poor of Ireland, as a means of protecting the working classes in England from the competition of Irish labour, would find, by woful experience, that the remedy would aggravate the disease. Having disposed of the English part of the discussion, and endeavoured to show, that the English labourer could neither derive any advantage, nor escape from any evil, by the introduction of Poor-laws into Ireland, he would proceed to consider this important subject, not in relationi to English interests, but purely as an Irish question. The state of Ireland was appalling. In endeavouring to apply an appropriate remedy for the misery of that country, it was essential to ascertain its causes and its character. Some enlightened friends of Ireland contended, that that country was in a state of decided advancement and improvement—that tillage was advancing, better cottages were erected, better agricultural implements were introduced, the exports and imports continued to increase, and all the symptoms of growing wealth were exhibited. But, during this process, the misery of the people increased. Famine stalked in the midst of plenty. Thousands and tens of thousands were perishing from the face of the earth; and what boots it to a famished people,

"That while they sink, without one arm to save,
The country blooms a garden and a grave."

Some extensive and effectual measure of relief must be applied—and immediately applied. The only question which the House had to consider was, whether the measure proposed by the hon. Member for adoption, was calculated to remove or to mitigate the evils we deplore. He objected to instituting a legal and permanent provision for the destitute and suffering poor of Ireland, from the conviction that this species of provision, instead of relieving and removing, would aggravate and perpetuate the misery of that country. It was acknowledged, that the population of Ireland had rapidly increased, and that it was still rapidly increasing; and it could not be denied, that as long as the supply of subsistence for them was increased by compulsory assessments upon property, the progress of population in Ireland would be accelerated. At no distant period the whole rental of the country would be inadequate to the maintenance of those for whose labour there was no demand. Two shillings in the pound, or ten per cent upon rent and profit, to be levied by compulsory assessment, and distributed to those who could not obtain adequate wages, would undoubtedly afford immediate relief, but, unfortunately, it would be of short duration. As giving a tenth of the incomes derived from rent and profit in aid of the incomes derived from wages, could have no conceivable tendency to diminish the number of births, or increase the number of deaths, the people would continue to breed up to the extreme limits of the most scanty subsistence; and want and misery would inevitably return. If, on witnessing this renewal of distress, the compulsory assessments were raised from ten to twenty per cent upon rents and profits, the same process would be repeated—temporary relief would be again afforded, and permanent distress would again return. If thirty, forty, fifty—nay, if 100 per cent were assessed upon the landed proprietors and capitalists, and the whole amount, both of rents and profits, given in aid of wages, the process and the result, with respect to the labouring class, would be precisely as before. But, although this system, which distributed amongst the mass of the people not only all the rent of land, but also all the profit of capital, could afford no permanent relief to the working classes, it would inflict the greatest injury and degradation upon the whole community. In the first place, when a country possessed, in the form of rent and profit, a considerable surplus revenue beyond what was necessary for the subsistence of the population, it might, when a deficient harvest occurred, export a portion of its superfluities and luxuries in exchange for food; and thus avert the miseries of famine. But when, by means of compulsory assessments, rent and profit, instead of existing as a net surplus revenue, were given in aid of wages; when the people (as must inevitably be the case, should the principle of population be uncontrolled), breed up to the point at which the whole revenue of the country is absorbed in mere subsistence, then there could not be, by any possibility, any surplus articles for exportation. The universal poverty of the country must render the purchase of foreign corn or other food impracticable; and every deficient crop must lead inevitably to hopeless and unmitigated famine. In the second place, this partition of rent and profit amongst the people would speedily destroy all leisure, would put a stop to every species of intellectual culture, and would confine each and all to the business of providing for merely animal wants. Not a single mind would be left to cultivate the field of thought; the progress of knowledge would be arrested; nay, so far from the human mind being, under such circumstances, capable of further advances, the attainments already achieved would speedily be lost; arts, literature, and science, would be no more; and the darkest barbarism return. This state of hopeless misery and universal degradation would be the natural and the inevitable result of giving the unemployed poor a compulsory relief from the landed capital of the country, supposing such right were allowed to operate freely and unchecked. The advocates for Poor-laws, established on the principle of granting to the people a right to compulsory relief, contended that such rights would not be allowed to operate so as to increase the population, but, on the contrary, would be so controlled and modified as actually to check and control the principle of population. It is maintained, that the necessity of providing for the wants of the people would cause the landed proprietors to exert their power to prevent the increase of the people, and to keep the supply of labour within the limits of the demand. But what did this doctrine involve? It involved one of two things—either a feudal system, under which the proprietors of the soil should become irresponsible tyrants, and the people abject and passive slaves, or else an agrarian system, under which the people at large would be co-proprietors of the land, contesting with its nominal owners the distribution of the produce. Twenty years back, and this feudal system would be admitted to be impracticable; to pursue the agrarian would bring us to the law of the strongest—to a state of nature—to

> "The good old rule, the simple plan,
> That he should take who had the power,
> And he should keep who can."

If the hon. Member would confine his proposition to introducing into Ireland such a system of Poor laws, as would leave it in the hands of the majority of the rate-payers to levy a poor-rate for the support of the blind, the impotent, and those permanently incapable of labour, he would give such a proposition his support; but when the hon. Member proposed to extend his principle to the whole of the population, he would take the liberty to tell him, that it would have the effect of abrogating the rights of property, and thereby destroy all the motives which stimulated to the production of wealth, and dry up the very sources whence charity was derived. If they thus threw all into common, who would be found to cultivate the soil? Who would create the produce whence all was derived? The system thus engendered would be, in his opinion, destructive of the principles of civilization—productive industry would cease, and the land be thrown back into a desert state. He sincerely admired the benevolence and charity of the hon. Member who brought forward this Resolution; but he would venture to remind him, that benevolence and charity, when not under the guidance of economical science, might become the involuntary instruments of mischief, aggravating the evils they endeavoured to remove, and resembling in their effects those splendid but baleful meteors, which shed a deceitful lustre on the disorder they created.

Mr. *Sadler:* Well, then, it would clear the evils all off.

Mr. *George Robinson* though, tthat the two preceding speakers had totally failed to answer the arguments of the hon. Mover of the Resolution. He was inclined to agree with the proposition of that Gentleman, and he thought, that if the House would affirm it, they should find no insuperable difficulties to obstruct them in applying a remedy. From his own observations he could bear testimony to the frugality and industry of the Irish labourers. Witness their annual migrations, which were occasioned by nothing but the desire to obtain employment. Whatever other difficulties might be found in the application of remedies to the distresses of Ireland, none would originate from the habits or dispositions of the labourers themselves. Nothing but the existence of the Poor-laws, with all their evils, could have saved this country from being now in the state in which Ireland was placed. He thought the exertions of his hon. friend on this subject highly praiseworthy, and he earnestly exhorted him to persevere, fully believing that he would reap, at no distant period, the fruits of his benevolent labours.

Lord *Althorp* wished to address a few words to the House on this important subject, The question which had been started by the hon. Gentleman opposite was one of extreme difficulty, and deserving of the most serious consideration of his Majesty's Government and of the Legislature. The hon. Member had given a true account of the condition of Ireland. He had truly stated, not only that great distress prevailed at present in that country, but that extreme distress—(and, he might almost say, pestilence occasioned by it)—prevailed there periodically. He was sorry, indeed, that he was not able, from his own knowledge, to advance the least contradiction of the hon. Gentleman's statement. But he must at the same time remind the House, that on this and other subjects, calculated to excite greatly the feelings of the people, there was a great liability to exaggeration; if not as to the extent or degree of the distress, at least as to its progress; and although it was quite true, that at the present moment Ireland was in a state of very great distress, yet that country was, on the whole, in the progress of improvement. He thought its condition would appear, upon calm investigation, to be now much better than it usually was. At the same time, that comparative prosperity supplied no reason why they should not look to the cause of the existing distress, with a strong wish to relieve it; or why they should not apply their whole minds to the discovery of the proper remedy. But to exaggerate the nature and extent of the distress could in no way contribute to its relief. More than one hon. Gentleman had truly stated, that one of the causes, indeed the main cause, of all the distress, was the want of profitable employment for labour. In that statement he fully concurred; and it seemed to him to be indubitable, that if by any means the House could create such employment, it would at once remove the distress. But he confessed that he had his doubts respecting the adequacy of the hon. Gentleman's own plans, who, although he acknowledged that the Poor-law system of England was unfit for Ireland, yet stated his object to be, the relieving of all those who could not find profitable employment for themselves. How did the hon. Gentleman suppose that their compulsory support without employment could afford the means of employing them profitably? To him it seemed extremely doubtful, that the measures intended to be proposed by the hon. Gentleman would tend much to relieve the present distress of Ireland. There was, in fact, in that country already a large provision for the destitute part of the population. There were in most parts of that country, hospitals and other institutions for the relief of the distressed. There were, in effect, instruments by which a most extensive, indeed an adequate, relief could be applied. He believed that the Legislature might avail itself of the means afforded by such institutions, without having recourse to any thing like the Poor-laws of England. It was true that the hon. Gentleman only called on the House to affirm a general proposition; but it was impossible to accede to that proposition without knowing the details of the plan which was afterwards to be submitted to the House. If the House acceded to the Resolution at present before it, without having first ascertained that it could command the means of removing the distress, it would give rise to an opinion in Ireland that systematic relief had been determined on: and if afterwards it should appear, that the plan yet to be proposed by the hon. Gentleman was not satisfactory, the Legislature would have excited hopes in that country which never could be realised. It had been said by the Gentleman who spoke last (Mr. Robinson), that the hon. Mover was, by his perseverance upon that subject, gaining the confidence of the public; and he (Lord Althorp) was ready to admit, that the hon. Gentleman was shaking the opinions of many who before were decidedly hostile to the introduction of any system of Poor-laws into Ireland. Although that was certainly the case, and he had himself seen many instances of change of opinion, yet he had met with no defined plan amongst all the schemes that had been proposed, which could be expected to lead to the permanent benefit of the country. It was his opinion, that the institution of Poor-laws in Ireland would give an immediate relief; but that it would ultimately preserve that country from the recurrence of the present evils he very much doubted. He thought, therefore, that it would be very injudicious, to relieve Ireland (and England also, he would say) from difficulties (which equally oppress both) by a measure which would subject them to future evils of greater malignity. They had been referred to the prosperous condition in which England continued for so long a period under the operation of the Poor-laws; but he would ask, what was it that for so long a time preserved the country from many evils, which were now felt with extreme force? It was that feeling of honour and independence which prevailed amongst the labouring classes, checking them from applying for parish relief, and which the alterations of the currency and the increasing scarcity of the means of subsistence had, at length, alarmingly diminished or almost destroyed. That high spirit of independence having been broken down, the Poor-laws became more detrimental in their operation than formerly. But he would put it to the hon. Gentleman, whether there was at present in Ireland that high feeling of independence amongst the labouring classes, which would lead those people to think, that application for relief under the Poor-laws was a degradation? But if that feeling did not exist in great strength at the time of the introduction of those laws into Ireland, it would be very difficult to prevent them from leading to very great evils. Besides, the hon. Gentleman seemed entirely to overlook the difficulty of finding in Ireland the machinery for carrying such laws into effect. Could there be found in the several parishes of Ireland, considering the present state of education in that country, persons capable of executing the important trust which must be committed to those who had to act under those laws? Of all the numerous witnesses who were examined before the Committee of Inquiry into the state of the Poor in Ireland, although so many were favourable to the introduction of Poor-laws, only one could point out a means of finding machinery to put such laws in operation. Well, what was the opinion of that witness? Why, that there must be a Government office in every parish. Now, if the plan of the hon. Gentleman who moved the Resolution could only be carried into effect by Government interference in every parish of Ireland, he should not give it his support, until the certainty of the advantages expected from that plan was fully established. He was not, however, disposed to give a direct negative to the proposition of the hon. Gentleman, who had often kindly consented to put it off from day to day, for the purpose of accommodating him; and he, therefore, much regretted that the details of the plan were not explained to the House at the same time that the Resolution, in some respect binding them to it, was proposed. He should, therefore, adopt the middle course, by moving the previous question.

Mr. *John Weyland* was of opinion, that if once adequate employment were provided for the Irish people, they would not relapse into pauperism. If the capital of that country were expended at home, it would be sufficient to furnish ample employment for the people; and it was his opinion that the Poor-laws would lead to that result. If the Irish gentry would of themselves employ their capital in the improvement of the country, there would be no occasion for Poor-laws. As they would not do so of themselves, means ought to be used for compelling or inducing them to it. If the Poor-laws were accompanied by evils such as had been attributed to them, the gentlemen of Ireland had now before them the experience of England, from which they could learn how those evils were brought on; and the experience of Scotland, which might show them how the evils were to be avoided. If they would take advantage of these examples, there need be no fear for the result.

Mr. *Sheil* said, that, between the application of Poor-laws to large towns and to agricultural districts, there was a great distinction. In a city like Dublin, many of the evils of an agrarian rate would scarcely arise. There would be found, in the first place, a committee of unpaid, of diligent, and disinterested management—the operation apprehended upon wages and rents would not, in any large degree, be produced. The assessment might be compulsory, but relief might be discretionary; and that relief would, in all cases, be so small, as not to afford incentives to improvidence. The minimum of subsistence would be the maximum of aid. Besides, if the experiment failed, the Legislature might retrace its steps—the mischief would not be irremediable, for the Mendicity Association might be restored to its present amiable, but, he was sorry to be obliged to add, inefficient, relation to the public. In Dublin, then, let the tentative process begin. Dublin had petitioned for the power of relieving pauperism from want, and benevolence from the burthen of its exclusive sustainment. This demand had originated from the failure of the Association. Even if it had succeeded, he should desire to put an end to a system by which charity was mulcted, while parsimonious opulence escaped from contribution. The tax which pity levied on its slender resources enabled insensibility to hug itself in the ignominious consciousness of its privilege, and gave a base immunity to men without a heart. He would, he owned, disturb the sordid luxuries of men who, in the midst of the public scorn, turned their self-applauding contemplation to their chests of gold. But the Society to which he had referred had failed, and it would be vain to argue the question upon an hypothesis of its success. If private benevolence could support its weight, it were well; but when it sunk beneath it, it was but reasonable (if he might borrow an illustration from a source so sacred) to give it an auxiliary, and enable it to bear the burthen which it had no longer strength sufficient to sustain. Should the Legislature refuse to extend to the Dublin vestries the right of making an assessment in aid of the Mendicity Association, it must close its gates on 4,000 paupers, and pour whole shoals of beggary, with all its worst accompaniments of loathsomeness, both moral and physical, into the public streets. The institution of a rate in the Irish metropolis would prevent this serious evil—it would equalize contribution—would be a resource to indigence and to benevolence—it would be guarded from abuse by the vigilance of good and kindly men, and would be a precedent for adoption by its success, or, if it should unhappily fail, would dispose, by the evidence of experiment, of the entire question, by furnishing an example which would not only deter from imitation, but put to these speculations for the improvement of Ireland, a salutary end. With respect to the general question, it was to be lamented, that the Committee on the state of the poor of Ireland did not report on what seemed to be the essence and marrow of the matter which was referred to their consideration. It must be confessed, however, that they had done important service, by publishing so large a body of valuable testimony. The two witnesses most conspicuous were Dr. Chalmers and Dr. Doyle, who, dissenting in opinion, coincided in humanity, vied with each other in lofty faculty and in pure emotion—differed in dogma, but agreed in benevolence, and exhibited such a union of truly Christian attributes, that they should reconcile the two religions, of which they are the ornaments, and induce Rome to forgive Geneva, and Geneva to pardon Rome. When men so distinguished took views so opposite, it was difficult to arrive at a conclusion free from doubt. He thought, however, that Dr. Doyle must be allowed to have, as a witness, this signal advantage—he spoke of what he had seen; the other of what he had heard. Dr. Chalmers talked of human nature; Dr. Doyle of its peculiar modification in his own country. Dr. Chalmers was afraid of congealing the pure sources of gratuitous benevolence. He did not know, that in the heights of society in Ireland, the moral temperature was already below the freezing-point, and that there was a crust of ice upon the fountain of sympathy, which charity could not melt, but which the law, perhaps, might break. He owned, that he thought it a paradox in others to maintain misery in order to keep kindliness in practice, and to cultivate the retired sensibility at the cost of so much woe. It was sufficient to look at Ireland, in order to find a painful answer to those reasonings, where the premises were so amiable, and the conclusion was so practically cruel. To a political economist he would paint an Irish hovel; he would open the door, and show him enough to make him shudder and confute him. There were two great features of dissimilarity between Ireland and almost every other country, which ought to be noted, before any inference was drawn from comparison. Arthur Young, fifty years ago, and Malthus, five years ago, observed, that 'the gentry in Ireland have no mercy for the poor.' The law that made slaves of one caste, and tyrants of the other, demoralized both: it sent the people to roll and wallow in the depths of poverty, while it petrified the feelings of the aristocracy, and gave to power an ossification of the heart. It might be said, "Time will cure all this." Ay; but when would the moral Aurora arise? A generation must be laid in the grave, and the field of Irish prosperity must be sought in the church-yards of Ireland. Independently of the general hard-heartedness produced by long and vitiating misrule, Ireland (it was to be recollected) was the island of absentees. Her life-blood was drained away; millions of her acres poured their produce into English harbours, and to the laborious peasant, the sweat of whose brow does not earn his bread, not one ear of all that golden harvest was ever destined to return. The great Lords of England had principalities in Ireland. They never saw the country; or, if they did, their "angel visits" were paid on those days, so auspicious to the prosperity of their tenants—the 29th of September, and the 25th of March. There was another class of proprietors, and they were still worse—the lesser and vagrant aristocracy of Ireland herself, who looked upon their country as a mere receptable of vulgar provinciality—who preferred being insignificant in London, to being useful and respectable in Dublin; or who in France or Italy vilified their country in all the artifices of accent with which they vainly endeavoured to disguise the original raciness of a genuine Irish intonation. If a poor-law could reach the proud Saxon, who neglected, or the paltry Irishman who despised, the country that owed him a return of scorn, it would confer a benefit. It were well if Ireland could stop, *in transitu*, some portion at least of the treasure that was poured into patrician coffers; and as to the continental itinerists who would be compelled to return, to prevent their annihilation, a poor-law would have the merit of banishing them to their country, and sentencing them to home. These peculiar incidents to Ireland belong to her gentry; but it should not be forgotten, that the Legislature have, in the infliction of much misery, entered with them into a disastrous co-operation. The "clearing system" was sent like a chariot with two scythes fastened to its wheels by the law itself (the Subletting Act, and the Disfranchisement Bill), to mow the people down. He should not discuss the abstract propriety of preventing farms from being broken into fragments, but he complained, and common feeling complained, that no measures of contemporaneous counteraction were provided—that no issue was afforded, even by emigration, for the ejected tenantry, but that thousands upon thousands were driven from the fields where they were born, and hoped to die, without supplying them with a place of refuge in the forests of Canada, or even in the blasted wilds of Australian sterility. But instead of providing this resource, a proceeding was adopted, which ought to make the perpetrators and the participators shudder. A scene of greater affliction was not to be found in the annals of human sorrow. Whole masses of the people were turned out, with the world before them, and with Providence for their guide. Old decrepit men, children scarcely able to crawl, women almost in a state of nudity, and men with brawny arms, and famished faces, went forth in droves of destitution. Some lay down in ditches to die; others raised hovels for the purposes of casual mendicity on the brow of some hill in the public way; some retreated to excavations in bogs, and hewed themselves out a habitation in a morass. But the greater part found their way into the obscure lanes and alleys of ruined districts in large cities—they swarmed in human clusters in garrets and in vaults; if you looked up, you saw famine glaring from a sashless window in the attics of some deserted house; and if you looked down, you beheld it in a cellar, seated upon its bed of short and pestilential straw. There was no exaggeration in this. The Committee report that the ejected tenantry suffered affliction which it was not in the power of language to describe. But this was called a state of transition. Call it pestilence, famine, death, and men would tremble; but call it transition—envelop it in the technical vocabulary of fiscal science, and a Directory of economists will speak of it with the tranquillity with which a French philosopher would have expatiated on the process of regeneration which his country was undergoing, through the sanguinary celerity of the guillotine. But it was only justice to add, that at last men's eyes and hearts were opened. It was admitted, that something must be done to alleviate those dreadful sufferings: science had relented—political economy had been touched—algebra was giving way to pity—and theorists and speculators were no longer heard, amidst the cries of a nation that stretches forth her hands for food.

Mr. *Stanley*, after complimenting the hon. and learned Gentleman upon the energy and eloquence with which he supported the views which he took of the very important subject which had that night been brought under the consideration of the House, said, that that hon. and learned Gentleman, following an example set him in various quarters, had indulged in the customary exaggeration with which the causes were generally described from which the evils so much complained of were said to have sprung. In his conscience he believed if there was one subject, more than another, upon which exaggeration was frequent, it was on that single subject—the distress in Ireland, arising from the operation of the Subletting Act. He had taken the pains to make some inquiries upon that matter, and the result of those inquiries did not lead him to think, that any thing like the mischiefs attributed to the Subletting Act arose from that cause; nay, he could not find a single case wherein the process of ejectment was proceeded on under that Act. There were occurrences in Ireland, which led to difficulty and distress; but they neither proceeded from, nor were they assisted by, the Subletting Act. Setting aside, however, those considerations, he would come to the topics which he chiefly rose for the purpose of noticing. The first of these was the proposition for a compulsory rate upon the inhabitants of Dublin. A petition had been that morning put into his hands, signed by the gentleman who held the office of Lord Mayor of Dublin, which petition he had signed on behalf of a public meeting, at which he presided. That petition prayed for the enactment of Poor-laws for Ireland, and, so far as it went, proved that the desire for that species of provision was every day gaining ground in Ireland. It had been said, with respect to Dublin, that there existed in that city, as there must in every city, to a greater or less degree, the machinery for carrying into effect a system of Poor-laws; but surely the case of the Mendicity Society affording nothing like an experiment which could warrant the introduction of a system of Poor-laws into that city; and for this reason, that the conductors of the Mendicity Society felt that their funds were circumscribed, and that they did not possess an unlimited command over the purses of their fellow-citizens, such as a compulsory rate would impart to the Overseers of the poor, or whoever might have the management of those affairs. The rate upon the city of Dublin, or Cork, Limerick, or Belfast, might be all very well if it carried with it any security that the system would go no further; for he felt with all the hon. Members who had spoken upon the subject, that nothing could be more equitable than that the land should be made to support the poor, provided that, in securing to them the means of subsistence, worse evils than the former distress were not introduced. The proposition of the hon. Mover was one entitled to the most serious consideration, but he thought it dangerous for the House to pledge itself to any opinion, unless it was prepared to adopt some specific plan, calculated to give relief to the people of Ireland, without carrying in the train of that relief a body of evils greater than those removed. Suppose there were a compulsory assessment in any or all of the principal towns in Ireland, would not the population of the country be instantly driven to the garrets and the cellars of the city, so soon as the mere act of inhabitancy could procure them gratuitous relief? It was said by an hon. Gentleman near him, that 1½d. a day was sufficient for the maintenance of persons in Ireland, as the Mendicity Society could support a considerable portion of those under their care for that sum; but, as he said before, the proceedings of the Mendicity Society proved nothing, for they had not the unlimited power of assessing their fellow-citizens. He would request his hon. and learned friend to look at what might be the probable results of a compulsory assessment. Let them look to the evidence given with respect to the Houses of Industry in Cork and Dublin. The introduction of a compulsory assessment. would be nothing less than the commencement of a system of which no man could see the termination. It was letting in the narrow end of the wedge, with every probability that it would speedily be driven home. On the abstract question of the introduction of Poor-laws into Ireland, he was not prepared to give any opinion, but, for God's sake, if the House were determined on the adoption of them, let it be done with their eyes open—let them not begin by exciting expectations which they could not gratify—let them not make an advance without the possibility of receding, and let them not begin a system which might lead God knew where. He especially objected to the proposition of the hon. Gentleman opposite, on the ground that it went to pledge the House to a declaration which meant any thing or nothing. It might be understood to signify the making a provision for the blind, the lame, or the impotent; but soon there might be found a plausible complaint, that the able-bodied pauper was not provided for. There were no two propositions more distinct, or more capable of being supported upon different grounds, than were those to which he had thus alluded. He, therefore, not only on account of the House, but on account of the people of Ireland, must refuse his assent to the proposition of the hon. Gentleman opposite. Nothing could be more dangerous than to commence a system of so much importance, unless they were able to follow it up. Nothing could be more inconsistent with the most obvious dictates of prudence, than to enter, without due consideration, upon a course from which there was no escape. If the hon. Gentleman were prepared to introduce any Bill, he had no doubt it would receive the most attentive consideration of the House. He was anxious, that the hon. Member should bring forward some specific measure, for then an opportunity would be afforded of judging what the hon. Gentleman's views were, and what were the means by which he proposed to carry them into effect; but at present the House and the country were left utterly in the dark. He could not conclude without, however, expressing his persuasion, that an opinion in favour of Poor-laws was every day gaining ground in Ireland, and that to an extent which no Government could or ought to oppose.

Mr. *Leader*, in common with every friend to humanity and to the relief of the Irish poor, returned the hon. member for Aldborough his sincere thanks for his generous and unceasing exertions, both within and without the House, to rouse the attention of the British public to the alarming state and condition of the poor of Ireland. His hon. friend commenced his speech by regretting his incompetency to do adequate justice to so important a question; but his hon. friend had, with the greatest prudence and discretion, avoided every political or party topic which could excite contrariety of opinion, and had given weight to his most important undertaking by the excellence of his remarks. His hon. friend had, by his writings and his speeches, given a powerful aid and impulse to the question of the relief of the people of Ireland; unfortunately, the people of Ireland were the poor of Ireland, and he did not entertain a particle of doubt, be the disposition to elude and postpone this great question what it might, that it would be impossible to prevent the condition of the Irish people from forcing itself on the consideration of the country, and becoming, after the Reform Bill, one of the questions of the greatest magnitude and importance which could occupy the attention of Parliament, and the people of the United Kingdom. The noble Lord who had just sat down (Lord Althorp) commenced his address to the House by stating, that he lamented as much as any person that "distress should exist in Ireland," but the noble Lord believed, that those who undertook to describe that distress, had greatly overstated and exaggerated the extent of it.

He had great respect for the manly character of the noble Lord, and great confidence in his political integrity, but he assured the noble Lord, although he might hope to delude himself into the belief, that the distress of Ireland was exaggerated and misrepresented, that he had never heard or read any description of the state of the Irish poor which exceeded what was fairly deducible from their intolerable sufferings. Could he, who, in the city of Limerick, an ancient and opulent city, lately saw the King's garrison drawn up against the King's people—who saw that garrison, with charged bayonets, assailed by women who had sold their apparel, and covered with what scarce deserved the name of raiment—who saw these women approach the very bayonets of the troops, and hold up their starving and almost naked infants—could he, who in the noonday saw that city sacked, and every store rifled and plundered of the provisions which had been collected for export—could he remain silent, and hear it stated, from the highest authority, that the distress of Ireland was exaggerated and over-stated? When the recollection of those heart-rending and afflicting scenes, and of many others of a similar description, crowded on his mind, knowing that such scenes were of frequent recurrence, he must be permitted to express to the noble Lord his fears that persons possessed his confidence, who underrated the distresses of the Irish people, and who endeavoured to excuse either their indifference or incompetence to tranquillize Ireland, by representing its distress to be over-coloured and exaggerated. Such men were not friends to Government. Since he had had a seat in the House, knowing that famine impended over a large district of the west of Ireland, and knowing that a frightful anarchy threatened the south of Ireland in October last, of which he had apprized the Government before these calamities occurred, he had continually warned the Government to take proper and precautionary measures to avert those misfortunes. He had no doubt but the King's Government thought, and were consoled by thinking, that the representations of the distress of the country and the danger to the public peace, were greatly exaggerated. The noble Lord might have sincerely believed so; but the famine came on, and it required the humanity of Englishmen to mitigate its horrors by private subscriptions. The insurrection in Clare followed, and was not suppressed without a melancholy sacrifice of human life, and considerable expenditure. The noble Lord admitted, that misfortunes of this kind occurred in Ireland; but that, after all, they were not frequent nor of long duration; but famine and insurrection were too frequent in Ireland—at one time they appeared in Limerick, at another along the entire south and west of Ireland. Last year, the city he had the honour to represent, and the inland counties of Ireland, were so distressed, that manufacturers and their families, once carrying on a prosperous trade in the city of Kilkenny, were glad to obtain work on the roads as day-labourers; and even that boon, from deficiency of funds, was only possible to be procured three days in the week. The next topic to which the noble Lord referred, was his gratification at the improvement which had taken place in the general condition of Ireland. The gratification which the noble Lord felt at the improvement of Ireland, consoled him for any sorrow for the distress of the people of Ireland. He admitted, like every other country in Europe, that Ireland had advanced in civilization and wealth, but he denied, that Ireland was an improving country; on the contrary, it was rapidly declining, and there was not in the world a rural population with greater claim for legislative relief and protection, than the Irish peasantry. It was matter of history, that until 1778, the Catholics, the great body of the people of Ireland, could not occupy nor possess land, and the country was a desert—the clergy were paupers—and the gentry almost mendicants on their own estates—and the British Government was maintained in Ireland by remittances from the British Treasury. Such was the state of Ireland before 1778—now, what is the claim of the rural peasantry of Ireland? Why, with a patience of labour unparalleled in the history of the world, submitting to privations which appal humanity, with a resignation creditable to their holy religion, they produced ten millions annually of rental for landlords; for clergy of all persuasions, they produced nearly three millions annually; for taxes payable in Ireland, and payable on exciseable articles in England, before exported to Ireland, four millions annually; and for local taxation, one million annually; and a variety of other smaller charges—all these were produced by the toil and industry of the Irish peasant, who was allowed to have little or nothing for himself. Was it to be endured that men who were the producers of everything were to be the consumers of nothing? Were landlords, clergy, hundreds of thousands supported by taxes, to be all fed and clothed, and the great body of the people to be destitute and nearly naked? He admitted, that Ireland had improved, but since 1815, improvement had been suspended, and Ireland was not in an improving state at present; on the contrary, she was in a rapidly declining state; and without waiting to follow his excellent friend, the gallant Member (Colonel Torrens), through his elaborate arguments on political economy, without discussing the effects of change of currency or transition—he was ready to prove, from the clearest evidence, that no people who had done so much for others, had done so little for themselves as the people of Ireland. It was triumphantly alleged, that a people could not do a great deal for others, without doing a great deal also for themselves; but the Irish, after being reduced to almost famine allowance, exported two millions of quarters of corn, meal, and flour. That was the labour of eight millions of people; and the result of the agricultural employment of the Irish nation. Knowing that the linen manufacture had migrated from the Irish cottage to the English factory, that the provision trade and the export of cattle gave little in the way of employment; and knowing, also, that corn, linen, cattle and provisions, were the chief resources of Ireland, he could assert, that there was very little employment for the people of Ireland. There was no alternative but reducing the charges on the people, which amounted to little less than twenty million pounds annually; and which pressed so heavily on agriculture; or, with the most prompt and intrepid resolution, the Government ought to open every new avenue to agricultural improvement, assist the people by opening new roads, forming new canals and harbours; it ought to remove every possible local tax and burthen, to lighten the duties on timber, and on articles which, in a naked country like Ireland, would assist in sheltering the houseless poor, and wanting which, were insuperable impediments to civilization and comfort. Ireland, from 1778 to 1815, did improve; but she was no longer an improving country, and the condition of the people was deteriorating rather than improving. There was a great difference between improving the condition of the landlords, by increasing the export of cattle and provisions, and improving the comfort and happiness of the people. Looking at the revenue since 1820, he found, that it had been in that interval stationary; and he had the official documents in his hand to prove it. The political economists will not admit the increase of imports and exports to be any criterion of the increased comforts and improvement of the condition of the people, and they call for other proof. He was prepared, too, with the proof of the rapidly declining condition of the Irish people. In the first place, the duties of the Excise and Customs were falling off, and in the city of Dublin with a rapidity which was quite alarming to every Irishman interested in the prosperity and stability of the metropolis of his country. The—

		£
Customs of the port of Dublin in 1821, were		941,887
〃 〃 〃	in 1830	669,500
Excise duties of Dublin .	in 1821	650,580
〃 〃 〃	in 1830	462,698

He was anxious to dispel those delusions of exaggerated distress, and of Ireland being an improving country; and whilst such notions filled the mind of our rulers, they threatened the prosperity and the peace of Ireland. It appeared from "A comparative view of the quantities of several articles of luxuries retained for home consumption in Ireland, in the years 1800, 1830," which he held in his hand that the—

Population of Ireland	in 1800	was	5,000,000
〃 〃	in 1830	〃	8,000,000

while the consumption was, of—

	In 1800	In 1830.
Tobacco . .	6,737,275 lbs.	4,124,742 lbs.
Brandy and gin	204,494 gals.	12,449 gals.
Rum . . .	1,036,467 〃	25,514 〃
Sugar . . .	355,662 cwts.	328,266 cwts.
Wines . . .	1,024,832 gals.	955,091 gals.
Tea . . .	3,499,801 lbs.	3,887,955 lbs.
Coffee . . .	120,985 lbs.	559,655 〃
Malt . . .	3,311,463 bush.	2,011,895 bush.

He had thus taken eight exciseable articles, what was the result? Why, that with a population in 1800, consisting of 5,000,000, increased in 1830 to above 8,000,000, the quantity of exciseable articles in Ireland was diminished, instead of being increased; so that, with an increasing population, there was a decreasing consumption of exciseable articles. Was not that evidence as conclusive as any which could be produced, of the deteriorated condition of the people of Ireland? Could any Cabinet repose in confidence in the affections of the people, until this state of things was effectually reformed? Those who said, that the distress of Ireland was exaggerated, rested upon assertion—but he, who contended that those assertions were erroneous, produced his proofs in confirmation of his statement. Gentlemen might be displeased to hear these representations of the fallen condition and increasing distress of Ireland; but he owed it to his constituents to leave no effort untried, to make their condition known. He had endeavoured to make himself acquainted with the state and condition of Ireland—its trade, its agriculture, its finances, its manufactures, and its ability to increase its stock of national wealth—and he should ever feel it his duty to throw all his information on those subjects frankly and honestly before the House, not entertaining the least doubt but that other Gentlemen would follow his example, and bring irresistible and irrefragable proofs, that the distress of Ireland was great and overwhelming. But, said the noble Lord in reply to his excellent friend (the member for Aldborough), supposing your opinions of distress well founded—and supposing Ireland to be in a deteriorating state—you have no plan—you come forward with no project for improving the condition of the people; a resolution only holds out hopes which may not be realized, and consequently embitters distress by inflaming discontent. He was one of those practical men who build any superstructure they wish to erect on old foundations; and although he knew the two churches bore with deadly pressure on the industry of Ireland—although the taxes fell heavily on the reduced means of the country—yet, looking for present and immediate relief, he was disposed to entertain the proposition of the hon. member for Aldborough, and for inquiring as to the best mode of relieving the people of Ireland. If Poor-laws were inadmissible, would any one argue that other modes might not suggest themselves when that was the only subject for consideration and discussion? For himself he must admit, after the mode in which the noble Lord (Lord Althorp) had met the question, he was not sanguine in his hopes, that public opinion had yet operated sufficiently on the understanding of the Legislature. It was his practice, if he could not succeed to the fullest extent of his wishes, to be very grateful for any assistance which might relieve his countrymen, without allocating the estates of the first eighteen Irish sees that drop in, to be assumed by the State, and vested in Commissioners in trust, to manage the property to the best advantage, and thereby obtaining a revenue of 300,000*l.* or 400,000*l.* a-year, for the relief of the poor of Ireland. Much might be done to give immediate relief to the people, without proceeding to that extremity. He did not look to the British Treasury, nor to the Irish Church, for relief for the Irish poor, because that would be in vain; but although, in the present state and condition of Ireland, indiscriminate direct taxation upon the productive industry of the country in the shape of poor-rates might not be at once assented to, he relied with confidence on the Legislature adopting measures which, without pressure upon the public finances, might apply the existing funds to meet the occasions of scarcity and the peculiar periods of want of employment—which might place a loan-fund of adequate amount under the management of the Loan Commissioners, to be permanently applied under their direction to public works, so as to secure the repayment of the interest by regulated instalments, to the Consolidated Fund; and which might apply a direct and effectual remedy to absenteeism, the proximate and admitted cause of a great portion of those mischiefs which affect the moral and political condition of Ireland. In his opinion it would be expedient and just, that the Lord Lieutenant for the time being should be empowered, at periods of scarcity and want of employment, to order the execution of all the presentments granted at the Assizes next immediately preceding, in any county or province, or simultaneously in the whole of Ireland, by cash payments; and that the funds to be applied thereto, should be the current balance in the respective treasurers' hands, and the current balance of the public account with the Bank of Ireland, and that such advances issued from the current quarter should be covered and reimbursed by the respective treasurers remitting the levies, as collected, to the Bank of Ireland, to the respective amounts of the issues thus made. In order to promote local employment, it would be proper that an assessment should be imposed of 6*d*. in the pound, on the rents payable to all landed proprietors residing in Ireland, and of 1*s*. in the pound, to be deducted from the rent of all landed proprietors who do not reside in any part of Ireland, for six months in each year; and the produce of such tax should be applied, first, in the Baronial proportion of charge for any necessary increase in the hospital, alms-houses, and dispensary establishments of the county; and next, to public works, and in reduction of the county cesses, subject to such regulations and control in the expenditure, as should assure the fair and honest application of the fund, in ready-money payments to the labouring peasantry. He had felt it his duty to suggest these three measures—cash payments on Grand Jury presentments, national loan fund for manual labour, and a small tax on absentee as well as resident proprietors, as capable of affording very considerable relief, and possibly, for the present, superseding the necessity of the so much dreaded Poor-laws. Whether there were other sums which might be obtained from the State or the Church, it was not for him to anticipate. He took things as he found them, looking to the due application of existing means, and to the proper husbanding of existing establishments. As for the Irish absentees, the strongest Government which was ever formed, could not throw such protection over them, as to exclude them from the necessity of becoming contributors to the relief of a people from whose industry they annually extracted the amount in value of half the surplus produce of the country. Let him assure the House, and the Government, that if the Motion of the hon. member for Aldborough should be rejected, this question would not be set at rest—and if it were set at rest, the question of the Repeal of the Union would be at once raised to a terrific importance. He implored the House not to deceive itself, Ireland could not be a tranquil country, when left in a state of hopeless and increasing misery. Would the House believe, that absenteeism existed in any part of Ireland to such an extent, that in one part of the island, a district of forty miles in a direct line through the heart of Munster, was without a resident landed proprietor, or person capable of affording employment to the people? And yet, between his residence on the river Blackwater, and the family mansion of the right hon. Gentleman, the member for the city of Limerick, on the river Shannon, that was the case. Was it to be wondered at, that the Representatives for Ireland, who had been nearly twelve months in attendance on their parliamentary duties, removed from their families, their business, and their power of serving their countrymen, should entertain strong and ardent feelings on this vital and important subject? For his part, he had been struck with horror and dismay at the scenes which had occurred in Ireland since he left it, and which he believed arose from the distressed state and condition of the country, and from heated and inconsiderate individuals insisting on payments, when it was almost physically impossible to procure money to discharge even what, in other times, would be considered the most trifling engagements. His opinions were supported by large influential resident landed proprietors, who contributed to the wants of their countrymen—Lord Cloncurry for example, said, "that a stipendiary Board would do little, and English money advanced by way of loan on Irish security, increased the bad effect of absenteeism to the amount of the interest exacted. Let England set us going by liberal grants (not loans), we should have a regular and moderate property-tax, including absentees, the produce to be vested in such Board, one half to be applied to the relief of the aged and helpless, and the other moiety in giving employment by means of works of improvement." Mr. Naper of Loughcrew, a gentleman of large landed property, had given him the following sketch of a projected poor and labour rate, which he would read to the House.

As an exemplification of such a scheme applied generally to Ireland, the following Notice as applicable to the county of Meath, is respectfully submitted to consideration:—

The poor may be classed under three heads:

1. Able-bodied labourers (with their families) unemployed at certain seasons.
2. The aged and infirm, being householders.
3. The destitute—(houseless and wandering).

For the relief of those classes respectively, the following means might be made available:—

1. For the labouring class.

Meath contains (independently of many thousand acres not yet rated on the county books), 274,778 acres that pay cess. These, let at an average of 30*s.* per acre, together with the value of glebe lands, produce a rental to head-landlords, middlemen, and clergy, of above 400,000*l.* a-year. A charge of three per cent upon this rental, and upon the value of tithes, would amount, in round numbers, to 12,000*l.* yearly. This sum, at 2*l.* per head, or 5*s.* a-week, would give employment to 6,000 men for two months. These men being heads of families consisting of five persons each, the employment thus afforded would give an additional degree of support and comfort to at least 30,000 persons—men, women, and children; that is, to 1,661 persons in each of the eighteen baronies of the county.

2. For the aged and infirm.

A levy of two per cent from all tenants, upon the rental they pay, or on a valuation of the lands they hold rent-free, or at a nominal rent, would produce 8,000*l.* per annum. This sum would give to 2,666 aged and infirm householders, 3*l.* each per annum, or in each of the eighteen baronies, would allow 149 persons this portion.

Having thus provided, to a certain extent, for the agricultural poor, being householders, by means to be taken directly from landed proprietors, their tenants, and the clergy, it remains to be considered what provision can be made—

3. For the destitute (now houseless and wandering).

For these it is proposed to provide "houses of refuge" in each barony, or in joint baronies, on the plan of the Dublin Mendicity Society. It appears, from the Report of that institution, for the year 1829, that 3*l.* 17*s.* 7½*d*, is the annual average cost of each mendicant (including all charges for rent, management, &c.). Thus at the rate of about 4*l.* a-head, 1,000 paupers may be supported for 4,000*l.*; and for this purpose there should be in the county ten "houses of refuge," holding 100 persons each. The necessary funds might be raised by a direct tax on the property of absentees; by additional charges on the licenses of public houses; together with a drawback from Government, of per cent on the revenue derived from spirits —and by fines at Assizes, the Quarter and Petty Sessions, &c. To these may be added, the alms collected at churches and chapels, and the bequests and voluntary donations of the charitable.

For the management and disposal of the funds thus raised, it is suggested, that parochial Committees should be appointed, to be composed of the Protestant and Roman Catholic Clergy, and such landlords and tenants as pay a certain proportion to the rates: the landlords to serve either by themselves or agents; and all the lay members to come on and go off by rotation.

It is not proposed to give to any individual pauper an absolute legal right to support; the members of the Committee to decide on all claims.

Mr. Naper sent with the sketch the following letter:—

Sir,—In submitting to you the foregoing scheme, I do not propose it as perfect and conclusive; but as one, which, calculated at a moderate rate to effect all the needful objects of a legal provision for the poor, courts discussion and investigation from all who have turned their thoughts to the subject, or feel an interest in a matter so vitally important to the welfare of their country. The whole charge, on this county, would amount to about 25,000*l.* per annum; a sum not more than equal to the transport and cost of a regiment of English Militia of 1,000 strong. The simple question, then, comes to this;—whether it be better to apply to the purse of the Irish landed proprietor, to improve the condition of the Irish peasantry, or to have recourse to that of the English landholders for the means of keeping them down.

I have the honour to be, &c.

Loughcrew,
August 20, 1831. J. L. W. NAPER.

He quoted these documents to show the interest which the landed proprietors resident in Ireland took upon this subject. If Ireland were conciliated by just government, and by the impartial admission of all religions to civil and political advantages and emoluments, and by a just arrangement of Church property, great causes of jealousy and dissensions would be for ever removed. Those, however, were matters for consideration at some other period. He supported the Motion of the hon. Gentleman, without reference to any political or party topic whatever, entertaining no doubt, but that the House would decide the question, so as to promote the comfort of the Irish poor, and the peace, the prosperity, and the security of the United Kingdom.

Lord *Morpeth* said, he felt it his duty to recommend some system of poor-laws for Ireland, which, though they might press severely on the landlord, were still required as a remedy for the evils which pressed so heavily on the population of that country. He thought it the duty of the resident Gentlemen of Ireland, to look to the comfort of those persons by whom they were surrounded; yet as the subject had already received the attention of Government, and had not been brought forward in a tangible shape by the hon. Member, and might embarrass their plans at some future period, he would vote for the amendment. He certainly came down to the House, intending to vote for the Motion of the hon. member for Aldborough, but after learning that the hon. Member was not prepared with a definite plan, he thought, that the wiser course was not to pledge the House to the subject.

Mr. *Spring Rice* was prepared to maintain, that the introduction of the Poor-laws into Ireland would be productive of incalculable mischief, and would bring upon that country the greatest measure of evil ever produced in any civilized country. But, even if he were favourable to the proposition, he should hesitate to assent to it on the present occasion, as he could not approve of the manner in which his hon. friend had produced his plan. He objected to the principle as well as to the mode; but, at the same time, he was bound to express, in common with every Irishman, his gratitude for the talent, zeal, industry, and the disinterestedness of his hon. friend in behalf of Ireland. He felt bound to make one or two observations, though unwilling to detain the House. Previous, however, to going into the question, he would observe, that the hon. member for Kilkenny was mistaken in imputing to his noble friend, the Chancellor of the Exchequer, a denial of the existence of distress in Ireland. For, in the commencement of his speech, his noble friend admitted this, and added, that it was a source of grief to every one who had the interest of the empire at heart. He certainly denied the extreme case put by his hon. friend, who said, that the state of Ireland in the time of Spenser was not worse than at the present day. That was an exaggerated fiction, bearing no resemblance to the true state of that country. With respect to the question before the House, what was the proposition now under consideration? Was it one containing a practical remedy? No. Did his hon. friend mean to call upon the House to declare the right of the poor to obtain relief when they were in distress, and to affirm, that the State was bound to provide them with employment, without, at the same time, pointing out the mode by which that was to be effected? It was very easy to say, that a system of Poor-laws ought to be established in Ireland, but it was ridiculous for the House to affirm that, unless it was acquainted with the nature of the measure to be introduced. Ever since he had had the honour of a seat in that House, he had heard continued complaints of the misapplication of the English Poor-laws, and of the mischief that had arisen from that part of them which compelled the Overseers of parishes to find employment for the able-bodied labourers. But this principle, which had long been rejected as most pernicious, by every writer of authority on the subject, the hon. Member now proposed to make the law of Ireland. If his hon. friend could point out any advantage likely to arise from this system, he would abandon his opposition to the introduction of Poor-laws; but even his hon. friend, with all his talents and acquirements, had not done so. He would appeal to experience on this subject, and would refer the hon. Member to the results that had followed from the introduction of this practice of giving employment to the able-bodied labourer, in the south of England. He was not aware, indeed, that there was an opponent to this opinion in the House, for as long as he could recollect, all the attempts that had been made for the improvement of the English Poor-laws had for their object the removal of this system. Surely, his hon. friend could not call upon the House to impose the English system of Poor-laws, with all its complicated machinery and abuses, upon the Irish people? If he did not call upon the House to do that, he had furnished no feasible plan to proceed upon, and yet his hon. friend called upon the House to pledge itself that some measure should be introduced. His hon. friend hinted, that he had a measure ready to submit to the House, that he had a bill prepared which he would introduce if it agreed to this motion. But why not introduce his bill at once? His noble friend stated, that if the hon. Member would do so, no opposition should be offered by the Government to its being laid on the Table, when it might be printed, and left to the consideration of every Member; but it was obviously impossible for the House to bind itself to a scheme, the details of which it was not at all acquainted with. He deplored as much as any one, the lamentable state of distress to which the peasantry of Ireland were reduced; but he did not see how the introduction of a plan for giving them compulsory relief, could improve their condition; on the contrary, he feared that the distress of the peasantry would be increased, and the condition of other classes materially deteriorated. He feared, that the result of the experiment of the hon. Gentleman, would be directly the contrary to that which he anticipated; and the misfortune was, that when once the scheme had been put in operation, it would be impossible to abandon it. If there was a system for the relief of the aged, the impotent, and the sick in Ireland, what extent of relief would that afford? A great many complaints had been urged, and more especially by his hon. friend, of the evil done to the labouring classes of this country from the immigration of the Irish poor. But would a plan for the relief of the sick and aged poor of Ireland prevent the immigration of the able-bodied labourers into this country? So far from preventing the Irish peasantry from coming over, it would be an inducement for them to come in larger numbers, for they would be sure, that their sick friends and relations would be taken care of in their absence. It was obvious, that no system of Poor-laws could prevent the influx of labourers in search of work, and until means were devised of finding employment for the Irish labourers in their own country, they would continue to come here. His hon. friend said, this occasional and temporary immigration of the Irish labourers deteriorated the condition and diminished the rate of wages of the English peasantry. He was far from entertaining the same feelings on the subject as his hon. friend, for this occasional ingress of small bodies of poor Irish was attended with material benefit, and more especially in the time of harvest. At that period of the year, there was always a great demand for labour, and he had yet to learn how they could injure the English peasantry. He was satisfied, that they afforded material assistance to the English farmers; and, if their influx tended to increase the Poor-rates, no encouragement would be given to them. But it had been said, that the immigration of the poor Irish tended to lower the rate of wages: but he called upon any hon. Member to furnish him with a proof of that. Look to the southern and western counties in England, where wages were lower than at former periods. What had that resulted from? From the mal-administration of the Poor-laws, by the introduction of the system of paying the labourer a portion of his wages out of the poor-rates. Was that the case in the northern parts of the island? No complaints of a low rate of wages were made where this pernicious system did not exist. As many Irish labourers, however, sought work in the northern counties as in the southern, so that the effect of low wages could not be traced to their influence. Indeed, if the circumstances were as stated by the hon. Member, would not the labourers of the south go to the north, to get a higher rate of wages? He could only impute the misery that existed in the south of England, among the agricultural peasantry, to the very system of affording relief—finding employment to the able-bodied labourer, which had never existed in the north—which was recommended as a cure for the diseases of Ireland. He was convinced, that the introduction into Ireland of Poor-laws would lower the rate of wages in that country, and complete the misery and distress of the people. He would refer his hon. friend to the report of the Committee on the distress in Ireland, which sat last year, and over which he had the honour to preside, and his hon. friend would find, that all the witnesses, whether English, Scotch, or Irish, however favourable some of them might be to the introduction of a system of Poor-laws into Ireland, assumed, that such a measure would not have the least tendency to check the ingress of the Irish peasantry into England. But a British House of Commons would never take such a view of the subject—and never could consent to a measure to prevent the labourer going from one part of the empire to another to seek employment. If the House endeavoured to carry such a plan into effect as to prevent the ingress of the Irish labourer into England, it would lead to the dismemberment of the empire, attended with the bitterest feelings. But what was the question at present before the House? Was it called on to decide upon any practicable plan, or to affirm, by a sweeping resolution, that a system of Poor-laws ought to be introduced into Ireland. The House was called upon to declare, that there was a plan fully matured for carrying into effect this object, without having the least idea of that plan. The hon. Member stated, that he only called upon the House to re-affirm a resolution that received the assent of the Irish Parliament in 1771, which affirmed, that a system of Poor-laws should be introduced into Ireland. But the resolution of 1771 did not produce any legislative enactment for that purpose —it produced no other practical result than the establishment of some free houses of industry. If, therefore, that resolution only produced a result which the hon.

Member admitted to be inadequate to the occasion, he saw no reason to infer that the mere resolution of this House, if not accompanied by a practicable plan, would produce other than an inadequate remedy also. It had been stated, that the Irish gentry opposed the establishment of compulsory relief to the poor from a selfish principle; but he declared to the hon. Gentleman, and to the House, that if he could believe that this proposition was opposed on other than public and patriotic grounds, he would instantly withdraw his opposition to the Motion. He was sure, however, that neither his hon. friend, nor any other hon. Member, would cast such an imputation on the Irish landlords, as to suppose that they were indifferent to the sufferings of their tenantry, or regardless of the well-being of those so intimately connected with them. He opposed the Motion of the hon. Gentleman on higher grounds—because sanctioning it would be productive of much mischief. He believed, also, that there were other means of affording adequate relief to that portion of the empire, without resorting to this extreme measure—for instance, the money that was to be proposed in the Committee of Supply to be advanced for public works in Ireland—an improved mode of local assessment by the Grand Juries—and other plans, which he trusted would shortly be submitted to the House by his noble friend. The Motion pledged the House to a great deal in principle, without explaining the details, and he should, therefore, give it his decided negative.

Mr. *Lefroy* conceived, that the representations given of the distress in Ireland was much exaggerated, and was convinced that the great mass of the population were in a state of progressive improvement. He would not consent to follow blind-folded the hon. Member, who had set forward the principle by which he was guided in so broad and vague a manner. He doubted if Poor-laws could be properly administered in Ireland. There were no large farmers there; and thus the individuals, who might be one day administering the laws, might the next be the object of their bounty. It was, he admitted, a just principle, that the richer class should provide for the maintenance of the poor, but not after a manner which would have the effect of reducing themselves to beggary.

Sir *John Bourke* thought the time was come—and he believed that this was the opinion of the most intelligent and well-informed people of Ireland—that the time was come for introducing Poor-laws into Ireland. He should, therefore, be ready to vote for the Resolution of the hon. Member. A great deal was said about raising false hopes by assenting to the Resolution, but he begged leave to assure the House, that the rejection of it would cause a great deal of disappointment.

Mr. *O'Ferrall* hoped that every Irish Member would be allowed to state his opinion on this subject. The objection of the noble Lord (Althorp), that there was no plan, had no weight with him, for that objection was formerly always urged against Reform. He was of opinion, that all property in Ireland should be taxed for the poor, as in England. He did not comprehend why there should be one law for England and another for Ireland. The poor Irish, seeing a different law when they came here, lost all respect for the law in Ireland. The want of such a law had cast a stigma on that country. It was not possible, that the principles taught by the Church of Ireland could be respected in Ireland, when large revenues were extracted from the people for its support, without an adequate return. At the same time he had no more wish to make any encroachment on Church property, than on the property of the land-owners. He should, as a landed proprietor, prefer a diminished income with a contented peasantry, to being surrounded, as at present, with a famishing population, and finding his whole property insecure. He supported the Motion.

Mr. *Benett* wished to see a modified system of Poor-laws adopted for Ireland, and this was the prayer of a petition he had to present from Chippenham. The petitioners complained justly, that the cheaper-raised produce of Ireland met their produce in all the markets of this country, and they wished the two countries to be placed on an equal footing. He did not, however, expect or wish to see the Poor-laws, as they were now administered in England, introduced into Ireland. They might, however, adopt the principles of those laws. The hon. Member concluded by declaring, that he would support the Motion, and that the poor had a claim to relief out of the Church-lands.

Mr. *Mullins* thought every Irish Member should have an opportunity to speak. He proposed that the debate be adjourned to Monday.

Lord *Althorp* said, that the subject had been fully opened upon this occasion, and therefore, he thought the debate might be adjourned to a more distant day. If the hon. Member persisted in his motion for adjournment, he would move that the words "this day month" be substituted for Monday.

An *Hon. Member* declared he would support the original Motion.

Mr. *John Smith* had witnessed two Irish famines, and would support the original Motion. He had never heard the hon. member for Aldborough propose that the English Poor-laws should be introduced into Ireland; if he had, he would oppose him. He only wanted to pledge the Parliament to do something. The English nation had twice relieved the Irish when in a state of starvation, but he believed it would not do so again. The last time doing so was requisite, the people hung fire. The Corporation of the Bank of England, which was generally very liberal, had refused to contribute on the last occasion, and so had other bodies. If again a famine should occur, an insurrection would, he believed, take place; and if ever an insurrection were justified, it would be that. Reserving to himself the right of opposing any plan which might be brought forward, he should support the original Motion.

Colonel *O'Grady* was surprised to hear, after all that had been said and written on the subject, that any doubt should now be entertained of the propriety of introducing Poor-laws into Ireland. Such a measure would make all property contribute to the support of the poor which the landlords had created. A meeting of the county of Limerick, with which he was connected, had taken place, and decided on the propriety of introducing Poor-laws into Ireland. He wished the hon. Member to withdraw the Motion, and at once to bring in a bill, to which he promised his best support.

Mr. *James Grattan* would certainly vote for the Motion, because it went to establish the principle that Poor-laws ought to be established in Ireland. No measure, in his opinion, however, would give entire satisfaction which did not make the Church property available to the support of the poor. He had seen the peasantry who had resided in his neighbourhood, and who were in a tolerable situation, always remain at home, and this fact was worth all the theories of the hon. member for Limerick.

Mr. *Dominick Browne* thought, that the hon. member for Aldborough had better withdraw his Resolution, and bring in a bill, to which he promised to give his most diligent consideration.

Mr. *Ruthven* was favourable to proceeding by Resolution, because by such a course no one was bound to any particular plan.

Mr. *Sadler* could not accede to the suggestions which had been made to him to withdraw his Resolution, and to proceed by introducing a bill. He recollected, that many important motions had been carried, after the way had been cleared for them by means of Resolutions. He should have preferred a direct negative being given to his Resolutions, instead of having them met by the previous question, which meant nothing else but indefinite postponement.

Lord *Althorp* was not prepared to negative the Resolutions, nor was he prepared to acquiesce in them at the present moment. He had, therefore, moved the previous question.

The House then divided on the previous question:—Ayes 64; Noes 52—Majority 12.

HOUSE OF LORDS,

Tuesday, August 30, 1831.

MINUTES.] Bills. Committed; the Tithes on Barren Lands; and the Duchess of Kent's Annuity.

Petitions presented. By the Bishop of LONDON, from Barking, for alterations in the Beer Act.

PLURALITIES IN THE CHURCH.] The Archbishop of *Canterbury* moved the second reading of the Plurality of Benefices Bill. It was not his intention to detain their Lordships at any great length, but it was necessary to state the circumstances under which the Church at present was placed with regard to pluralities of benefices, and the objects intended to be effected by this Bill. The holding of Benefices, in respect to Pluralities, was regulated partly by the old Canon-law, and partly by the Statute of the 21st of Henry 8th. By the Canon-law pluralities were strictly prohibited under the severest penalties, extending even to excommunication of persons holding more than a single benefice. At the same time an exception was made in favour of high and learned persons. This indulgence was abused in the highest degree; dispensations were, in in fact, granted without regard to number, distance, or qualification. They might be obtained, at fixed prices, for two, three, or more benefices, and even without limitation of number or value. Of the extent to which this abuse was carried, a proof might be found in a list of pluralists towards the end of the thirteenth century, (to be seen in Gibson's Codex), several of whom held between ten and twenty, and one, twenty-three benefices. These abuses the Statute of Henry 8th. was designed to correct; but that extends only to benefices with cure of souls above the value of 8*l.* reckoned by the King's books. In respect to benefices of this description, the Statute agrees with the Canon-law in the general prohibition of pluralities; but it admits many exceptions to the general rule, and empowers spiritual persons, being sons of noblemen, and other persons of rank, or graduates of the Universities, or Chaplains to the King, the Royal Family, Peers, &c., to hold two livings by dispensation: to spiritual persons being of the King's Council, it allows three; and provides for the free exercise of the King's prerogative in bestowing as many benefices as he may think proper on his own Chaplains. With these exceptions, no one may take more than two benefices above the value of 8*l.* To these limitations others are added by the Canon, in respect to qualifications, distance, and residence, which, however, affect only this description of benefices—all other Church preferments being left, as before the Statute of Henry 8th., under the old Canon-law. In consequence, there was no restriction on the holding of dignities in cathedral or collegiate churches, except such as might be imposed by their own Statutes; and any number of benefices under 8*l.* might be holden together, without any other check than the power of the patron to present to the benefice first held, and that of the Ordinary, by a judicial sentence, to declare it void; the latter of which powers was, he believed, never exercised, and the former very seldom. Hence arose the distinction of benefices into void and voidable:—a benefice above 8*l.* is made void by taking a second; a benefice under that value is rendered only voidable. In fact, there were instances of three, four, or even five of these latter being holden together by the same person. But the abuse which most required correction arose from the want of limitation in point of distance. An incumbent of a populous parish might take up his residence on a small living under value, at the distance of 200 miles, and leave the concern, which is of far the greatest importance, to the care of a single curate. The inconvenience arising from this state of the law was two-fold. Preferment was sometimes invidiously accumulated on one individual, to the discouragement of meritorious clergymen, who might otherwise hope for a better provision; and the parishes suffered from want of due attention, more especially when the benefices so holden together are of very small value, in which case the incumbent was often unable to keep up the buildings, or allow an adequate stipend to the curate. The object of the present Bill was to remedy these evils. With this view it repeals those enactments of the 21st Henry 8th., which regard the value of benefices in the King's books, and determine the qualifications for obtaining dispensations. It then enacts, that if any one holding a deanery or other dignity, in any cathedral or collegiate church, shall accept of any dignity, &c., in any other such church, the first shall be void. An exception would be introduced into the Committee in favour of Archdeacons—the most efficient and the worst paid officers of the Church. It next proceeds to enact, that if any person, having one benefice with cure of souls, shall take a second benefice with cure of souls, the first (without regard to its value) shall be void. In consequence the patron would be bound to present, under pain of lapse, though he have received no notice of vacancy. The distinction of value in the King's books and its consequences is hereby totally done away. It was nevertheless enacted, that spiritual persons may hold two benefices by license or dispensation, provided the distance do not exceed thirty statute miles, measured from church to church. The effect of these regulations would probably be, that whereas, at present, any number of benefices under 8*l.* may be holden together, without regard to actual value, or distance, and two benefices above 8*l.*, at a distance of thirty reputed, equal to forty-five statute, miles, which, being measured from the boundaries of the two parishes, make fifty the average between the churches; after the passing of this Act, no more than two benefices, however inconsiderable in value, could be holden together—and that only, where the churches are not more than thirty miles from each other. He was fully aware that this alteration would operate harshly on some individuals, and perhaps in some instances inconveniently even with respect to the church. In some cases family livings, now tenable together, would cease to be so if this Bill should pass into a law. In others, meritorious clergymen, employed in the care of poor and populous parishes, might be reduced to the alternative of either leaving a place in which they are eminently useful, and retiring to comparative inaction, or of refusing a benefice far greater in value, and at the same time less laborious. On the whole, however, the surplus of advantage was in favour of the reduction. From returns made to the House, it appeared that about 2,100 benefices are holden by pluralists. Of these the greatest number are under 8*l.* in the King's books. Of the reduction to be expected in this class of pluralities, as they are not limited by distance, no certain judgment could be formed. With respect to benefices above 8*l.* some tolerable calculation might be made. If fifty miles is the distance at present allowed, and thirty, as lessened by the Bill, every church might be considered as the centre of a circle, of which the area will be in proportion to the diameter, and in this particular case the greater circle will be to the smaller as about one to three; and consequently, the number of benefices now tenable together by dispensation, will be less, by two-thirds, than at present. Allow a similar reduction for livings under 8*l.* (which he conceived to be under the mark), and it might fairly be concluded that the number of pluralists would, in the end, be reduced from upwards of 2,000 to about 700. He would, in the next place, speak of qualifications. In the place of those prescribed by 21 Henry 8th, it is proposed to take University degrees as the sole qualification for dispensations, adding to those allowed by the statute, the degree of Master of Arts—in conformity to the direction of the 41st Canon, and abolishing all privileges of rank or retainer, with the single exception of the King's chaplains, who are allowed to hold two benefices by dispensation. In consideration, however, of the small value of many benefices, and from due regard to the claims of many excellent clergymen who have no degree, this qualification will not be required for holding two benefices under a certain value, 400*l.*, for which purpose the Archbishop would be authorized to grant a licence, and arrangements would be made to render the expense very moderate. In respect to dispensations, for the holding together of benefices of greater value, no alteration was proposed. It was, however, to be observed, that the granting or withholding of licences, as well as dispensations, is left to the discretion of the Archbishop of Canterbury, subject to an appeal to the Court of Chancery, for which it is intended, in Committee, to substitute the King in Council. He apprehended that such a power was meant to be lodged in his hands by the Act of Henry 8th; but he could not venture to say in what degree the exercise of this power had been affected by its not having been commonly used. He knew of no instance on record of dispensations having been refused to persons duly qualified according to law; but it must be observed, that the Archbishops had always insisted on conditions not required by the statute—with respect, for instance, to distance, residence, and employment of curates, which implies the exercise of discretion. The Archbishop would be further authorized by the Bill to annex to the dispensation, or licence, such conditions, in regard to residence, performance of duty, employment of curates, and it was proposed to add the erection and reparation of houses of residence, as he might think proper. From what had already been said, it would appear that this was no new power, but a more convenient modification of the power which he at present exercised, in conformity to the directions of the 41st Canon. That canon prescribes the number of sermons to be preached, and the *quantum* of residence on that benefice, on which the least residence is allowed. The application of the same rule to all cases, however useful in some, would be generally inconvenient in practice. A discretion admitting some latitude in respect to the condition of residence is therefore proposed. An incumbent, for instance, has two benefices; the one a populous town; the other a thinly-inhabited village. Was it right that he should take up his principal residence in this latter, and thus give the least share of his attention to the weightiest charge? Again, when a benefice has two or three churches or chapels, widely distant, perhaps, from each other, was it not reasonable that more than one curate should be required for the performance of the duties? But of the evils resulting from pluralities, the decay of residence-houses was one of the greatest—as it might excuse and almost compel non-residence for many generations. Such conditions, then, annexed to pluralities, were surely expedient, and would operate beneficially, if adapted to particular cases, by the exercise of a sound discretion. But how were these conditions to be enforced? At present surety is taken in a bond for 200*l.* which never has been, and perhaps never could be recovered. In the place of this nugatory security, it was proposed to substitute the revocation of the dispensation or licence, by the authority which granted it. It could not be deemed inconsistent with equity, that he who accepts of a benefit on certain conditions, should forfeit it if he neglect or refuse to fulfil them. And this non-performance and consequent forfeiture are left to the judgment of the Archbishop of Canterbury; so that, in this whole matter of dispensations and licences, the Archbishop would be constituted the judge of the propriety of granting the indulgence in the first instance; of the terms on which it shall be granted; and of the forfeiture incurred by non-compliance with those terms. It had been suggested to him, that the Archbishop was hereby imposing on himself a very onerous and invidious task. In that he entirely agreed; knowing by experience the inconveniences of discretionary power. He who acts ministerially is without responsibility, having but one course to pursue; but he who is invested with discretion, besides the anxiety of deliberation and the pain of decision, must expect the annoyance of importunate solicitation and angry remonstrance from disappointed and offended parties. On these, and many other accounts, if he saw any better mode of regulating the affair of pluralities than intrusting to the discretion of the Archbishop, he should certainly give it the preference. It had also been said, that an exorbitant power was placed by the Bill in the hands of the Archbishop of Canterbury—and even a right of interfering with Bishops in the administration of the discipline of their dioceses; both which objections were entitled to consideration. But, perhaps, it would appear on reflection, that the powers proposed to be given to the Archbishop, though certainly greater than at present, would be subject, in their exercise, to an efficient control, independently of the appeal to the King in Council. His general rule, in regard to the granting of dispensations, will be on the side of indulgence; and exceptions, if made, will be grounded on information received from the diocesan, or the evident reason of the thing. The same with respect to conditions. In regard to the revocation of licences, he was of opinion, that the power, as the Bill stood, was not sufficiently defined and limited; and it was his intention to introduce alterations, by which the Archbishop would have to exercise this power of revocation with the concurrent agency of the dicocesan. He had entered more largely into explanations than would have been necessary, had he not been desirous of obviating objections, and stating what, at least in his own conception, was likely to be the effect of the Bill. On its general object, the abridgment of pluralities, there was a difference of opinion, at which he was little surprised when he reflected on what had passed in his own mind. This difference, perhaps, was the greatest in reference to the distance of benefices allowed to be holden together by dispensation, and it has existed from old times. By early canons it was settled at twenty-six miles; by later at thirty. The Bishops in Queen Elizabeth's days, thought twenty a reasonable distance; and the Archbishop and Bishops assembled at Lambeth are said to have approved of a Bill drawn up by Dean Prideaux, and still extant, in which it is limited to five. The distance allowed by the canon, at present, he had, before stated. In this Bill a middle course was taken; yet the allowance unquestionably would, by some persons, be considered as too large—by others too small. However that might be, he had no doubt that benefices, under value in the King's books, ought to be subject to the same regulations as those rated higher. It was known, that the valuation of Henry 8th was no criterion of the present value; and the distinction created by the Statute of void and voidable benefices, had been the occasion of many abuses. In conclusion he could truly say, that having exerted himself to the best of his ability, in endeavouring to improve this part of our ecclesiastical system, he should cheerfully acquiesce in the judgment of the House on the merits of the Bill.

Lord *Wynford* observed, that the Bill ought to be well considered, before it passed into a law, as they were legislating, not for the day, but for futurity. He did not mean to oppose the second reading, but, as he understood the provisions of this Bill, he was inclined to suppose, that the law, as it stood at present, was sufficient to answer all the purposes of the new measure, and if such was the case, it was unnecessary, and would be improper to pass this Bill. The Archbishop of Canterbury had already a large discretion, and by the exertion of the powers already existing, the whole object of the Bill, as he conceived, would be attained. It was possible, however, that he might be wrong in that opinion, as, although he had considered the subject a good deal, he had not had any communication with any other person upon it. However, it was necessary, that time should be allowed for consideration. Certainly he objected to giving such a large power as the Bill gave to the Archbishop of Canterbury, to any individual whatever. It was placing in his hands, the control of the whole body of the clergy. He objected, also, to the appeal, but certainly, if there were to be an appeal, it should be to the King, as the supreme head of the Church. In the meantime he must observe, that the thirty miles distance, which the most reverend Prelate had mentioned, had, in practice, been considered as forty-five, and he was of opinion, that if the matter of distance was to be taken into account, the forty-five miles ought to be considered as the limit. According to the present law, it was necessary that an incumbent should reside during a certain part of the year on his livings, and that was a better provision than the distance. He should not have objected to a distance of five miles, or thereabouts, because then the clergyman could do duty every Sunday at each of his livings, but as to any efficiency in this respect, thirty miles was as objectionable as forty-five; and for the security of existing property, he thought the distance of forty-five miles ought still to be retained.

The Bishop of *London* said, that the alteration of the law, to which the noble and learned Lord objected, would have the effect of limiting the number of pluralities. The universal opinion which prevailed with respect to pluralities, was a sufficient proof, that the existing law was not sufficient to effect that object. The fact was, that the present state of the law with respect to benefices arose out of an obsolete law, by which a poor clergyman was enabled, if he obtained the Bishop's consent, to hold two or more livings under the nominal value of 8*l.* This was the origin of the system of pluralities, under which two livings, the real value of which was 700*l.* yearly, might be held together.

The Earl of *Carnarvon* thought, that their Lordships ought not to adopt hastily the measure which had just been introduced by the right reverend Prelate. There were some parts of the old law, which he should prefer to the proposed enactments, if they were reduced to practice; such, for instance, as that provision which compelled an incumbent, if a pluralist, to reside during a certain portion of the year upon each of the livings he held. He objected to the extraordinary power which was given by this Bill to the Archbishops, of revoking the dispensation to hold pluralities, because it gave the power to those most reverend Prelates, of depriving a clergyman of his freehold. At all events, he thought that notice ought to be given to the clergyman, before such authority was exercised by the Archbishops.

The Earl of *Harrowby* adverted to the statement made by the right reverend Prelate opposite, by which it appeared, that there were 2,000 parishes deprived of the benefit of possessing resident incumbents. There could be no doubt that that was a great evil, and he saw no means of diminishing it, but by limiting the extent to which pluralities might be granted. The number of persons capable of holding two livings, and who therefore did hold them together, was much more than ten times greater than in the time of Henry 8th. The question then naturally presented itself—why not put an end to the system? but he, for one, must say, that he knew nothing that would be so fatal to the respectability of the Church, as the entire abolition of pluralities. It should be recollected, that a great deal of property was taken away from the Church, in the time of Henry 8th, and the only means which, in many instances, now existed, of securing a proper remuneration to the clergyman, for the work which he performed, was the union of the smaller livings. He certainly considered it to be highly important that there should be considerable gradations in the Church. He should not like to see it in the power of a clergyman to start up all at once, and take his seat on the benches opposite. He ought to work his way up by degrees; for any thing approaching to equality was inconsistent with the constitution of the Church of this country. But, at the same time, it was the interest of the State, to maintain all classes of the clergy in respectability, and that object could not be obtained, if the revenue of parishes merely afforded to their incumbents a bare subsistence.

The Bill read a second time.

SUBLETTING ACT (IRELAND) AMENDMENT BILL..] On the Motion that their Lordships resolve themselves into Committee on this Bill,

The Earl of *Wicklow* rose and said, that before their Lordships went into a Committee on this Act, he was anxious to offer a few observations, which he confessed, would have been appropriately introduced upon the second reading of the Bill; on that occasion, however, it had been his wish to address their Lordships, and he came down with that intention, at ten minutes before five o'clock; but, to his great surprise, he found that, even at this early hour, the Bill had been passed through its second stage, *sub silentio*. In saying this, however, he did not mean to impute any want of courtesy to the noble Viscount (Melbourne), because he had informed the noble Viscount, that it was not his intention, nor that of any other person as far as he knew, to offer any opposition to the measure. He did not, however, suppose, that the noble Viscount himself would have proposed the second reading of a Bill so important, without addressing some observations to their Lordships; and if he had supposed, that the noble Viscount would have been thus silent, he should, circumstanced as he was, have decidedly felt it incumbent upon him to offer a few remarks, and to lay before them a brief statement concerning the operations of the Act. When the question was brought before the House last Session, he had declared himself decidedly hostile to the Bill introduced to amend the law by the noble Viscount. But he did not entertain the same feeling towards the Bill at present before their Lordships, because, although the title was the same, yet was it completely changed in the principles and in the details. And this simple fact of the noble Viscount's having now brought in a Bill, so different from that against which he (Lord Wicklow) had declared his opposition, was in itself a complete refutation of the assertion of an anonymous and mendacious scribe, who, in a pamphlet, which he presumed to call *Friendly Advice to the Peers*, but which was really written solely with the purpose to insult and to intimidate their Lordships, had stated that the opposition he had thought it his duty to give to the Bill of the noble Viscount, last Session, was dictated by factious motives, and the desire to thwart his Majesty's Ministers in their proceedings with respect to the measures of Reform. These circumstances, the charge made against him and the clamour directed against this Bill in Ireland, made it necesssary that he should offer a few words on the subject, and he considered that its great importance claimed, and indeed demanded, from their Lordships generally, some serious consideration; for it was not enough that their Lordships should themselves be satisfied, that they had honestly and conscientiously legislated upon any particular question; the public also should know, that their Lordships did not legislate, and to the public their Lordships should not appear to legislate, for their own benefit, but for the good of the community. When he stated that clamour had been raised against the Subletting Act in Ireland, he did not mean to say, that this clamour should be disregarded; for he considered that it was necessary to apply a remedy whenever a popular cry was raised with just cause. But he did positively assert, that never was there a case in which clamour was so little the interpreter of public opinion as in respect to this Act. He did most positively assert, that in the bill of 1826, there was not one clause which militated against strict justice. There was not a single clause, which could produce any one of the evils which some would fain attribute to the measure. He declared that the Subletting Act was not only beneficial to the landlord in its operation, as enforcing the obligation to observe the different covenants of the lease, but actually, for the same reason, conducive to the interests of the poor. It was a measure which had been well weighed and well considered. It had emanated from a Committee of the House of Commons, where it had received the most deliberate attention; nor was it afterwards hurried through that House. It was introduced in one Session, and only carried in the next. It was, as he had already remarked, beneficial alike to the landlord and to the poor man; and now he might be asked from whom did the clamour proceed? He conceived that it proceeded from a party who did not themselves possess any landed property, except what they held upon leases, either granted to themselves, as was generally the case, or else inherited from their fathers. These men, then, had taken or inherited farms with certain covenants and agreements, which compelled them to take care of and properly to cultivate these farms. But, preferring to the honest occupation of cultivating the soil, the more idle and more consequential business of country politicians, they, in violation of the covenants of their lease, subdivided the land, and let it to a set of pauper tenants, from whom they extracted the last farthing to maintain the rank which they assumed as landholders and country gentlemen. Having thus, under the pretence of taking their proper position in society, violated their contracts to their landlords, their next step was, to raise a clamour against this Act, as the cause of that misery which, by their false and profligate conduct, they had themselves occasioned. They wrung the last farthing from their wretched tenants, and when distress had reached its height, and the extreme of misery had produced disturbance, these men exclaimed against the law for producing those evils which were of their own creation—evils, to prevent which was the prime object, the almost exclusive intention, of this act of legislation. Those very individuals who had, by their own heartless proceedings, occasioned all the mischief, when it becomes galling almost beyond endurance, denounce their own landlords, the owners of the soil, as the most barbarous men in the world, because there is distress on their estates, although they are by no means to blame for it—some being absent, and others, though present, unable to apply the slightest remedy; and then, as delegates at some illegal assembly, or as, perhaps, leading members of it, the persons who have themselves done all the wrong, alike to the gentleman above and the peasant below them, raise a clamour against the Subletting Act, as the origin of every evil. He positively asserted, in the presence of their Lordships and of the country, that nothing of evil could possibly result from the Subletting Act. The distress prevailing at present amongst the Irish poor, arose from a combination of circumstances. Amongst these he might particularly mention the disfranchisement of the 40*s.* freeholders, and the view taken by the proprietors of farms of the mode of cultivating them. The proprietors had of late been anxious to disembarrass their land of the crowd of paupers, that before consumed its produce, without any adequate return; and this, he admitted, had to a certain extent been the cause of the distress throughout the country. But that this Bill had been the cause of ejecting a single tenant from his holding, upon the faith of anxious inquiry and full investigation, he positively denied. Yet, whenever a tenant was removed on any cause, be it what it might—expiration of his lease, breach of covenant, or so forth—it was immediately declared by those politicians to whom he had alluded, that the evil arose from the Subletting Act, which was framed for the benefit of the landlord, and which admitted neither protection nor security to the miserable tenant. Of the present Bill he entirely approved, as far as it went, but he thought it ought to be extended a little further. He considered, that as its object was to prevent the subdivision of lands, that protection which it gave to the farms let by the proprietor of the soil, ought to be continued beyond the life of the lessee. According to this Bill, if the lessee died intestate, or if he willed it to his children in any number, that very sub-division would take place which it was the object of the law to prevent. He maintained, too, that this would be no hardship, because, if a man took a farm with a clause absolutely prohibiting subdivision, now or hereafter, or under any circumstances, he could not complain of being compelled to adhere to an engagement into which he had knowingly and willingly entered. He was especially desirous to have this addition made to the Bill, and he was anxious to send it to the other House as free as possible from blemish, knowing the troubled sea on which in its transmission there it was sure to be cast—the clamour with which it would be met, and the desperate opposition it would encounter from certain individuals, and the little chance it had of obtaining from them even a fair hearing.

Viscount *Melbourne* explained, that it was not from any want of courtesy he had had the Bill read a second time, at so early an hour. He had declined speaking on it, because he understood it was to be suffered to pass without opposition, and because he did not, under these circumstances, wish to enter upon a statement of technical details. He entirely concurred with the noble Lord in all the statements he had made, and all the opinions he professed, excepting that which led the noble Lord to wish for an additional clause to restrict the lessee from willing the farm to his children, or from its being divided, if he died intestate. He could not agree to a measure so forcible—he could not, however anxious he was to carry into effect the principle of the Bill, interfere with what were considered and regarded as the just rights of all men. This would be paying too dearly for any advantage which might be acquired by the clause. He entirely agreed with the noble Lord as to the nature of the clamour which had been raised, and as to the falsehood of attributing any portion of the distress and disturbance which prevailed, to the Sub-letting Act. He admitted, that the Bill now before their Lordships differed, in many respects, from the last; and this he accounted for, by the fact of his having given the subject more consideration, and from his being animated with the desire to make it as perfect as possible.

The Earl of *Westmeath* observed, that great clamour had existed on the subject, a clamour raised for the most abominable objects.

Lord *Plunkett* observed, that the object of the measure had been so fully explained by the noble Earl opposite, that it left him little to say. As, however, he had been the instrument of bringing in the Subletting Act, he might observe, that it was true, that a senseless clamour had been raised against it, but it had proceeded from those who concealed their private interests under the mask of affording protection to the lower classes. The great object of the Bill was, to give the landlord that protection to which he was entitled from the nature of his contract with his tenant. It was also intended to prevent the party who might become a sub-tenant, from being harassed by the distress of two or three landlords instead of one. The case they had to provide for was, to give the landlord the power to go over all his property for his rent, and he could exercise it in all cases, except those where he might himself have given permission to his tenant to devise. The former bill proceeded on the presumption, that he had given that power, in all cases where he had not expressly reserved it; but, in this, all the benefits of his covenants were reserved to him, unless where he had given written permission to his tenant to sub-let. Where he had not given that authority, he could go to the sub-tenant, and his receipt was valid against the claims of any intermediate landlord, for all power of distress was, in such circumstances, taken away. He would further maintain, that if the proposition of the noble Earl, to take away the power of devising in portions, were adopted, it would destroy the effect of the Bill; and, instead of rendering it, as the noble Earl imagined, more palatable elsewhere, would have a directly contrary effect. He should feel it his duty, therefore, to oppose any such proposition.

The Earl of *Wicklow* said, the eighth clause allowed the lands of a bankrupt or insolvent, to be passed to his assignees.

Lord *Plunkett*: In that case, they would be liable to all the covenants in the original lease.

Bill went through the Committee, and reported.

HOUSE OF COMMONS,

Tuesday, August 30, 1831.

MINUTES.] Bills read a first time. Clare County Presentments; and Commissioners of Accounts (Ireland.)

Returns ordered. On the Motion of Mr. BARING WALL, of the Population, according to the Census of 1821, and 1831; of all Towns and Cities in England, exceeding a Population of 10,000, to which Representatives are not to be given by the Reform Bill:—On the Motion of Mr. HUME, the Proceedings of the War Office in investigating abuses in the Regimental economy of the Army; an account of Promotions in the Navy in all Ranks, during the year 1830, and up to the latest period the Returns could be made up to; of the number of Officers of all Ranks promoted on the accession of his Majesty; and of the total number of all ranks of Officers in the Navy, on the 1st of January, 1831; of the same Returns for the Marines, with the addition of the numbers respectively, on full and half-pay; and of the number who had been allowed to sell their Commissions; the same Returns for the Army.

Petitions presented. By Mr. CUTLAR FERGUSON, from the Land Owners of the county of Banff, against the use of Molasses in Breweries and Distilleries. By Sir PETER PAYNE, from the Inhabitants of Wooburn and Ridgmount, for the Repeal of the punishment of Death for Offences against Property. By Mr. MAURICE O'CONNELL, from the Parish of Timoleage; and from the Catholic Clergy and Inhabitants of Donegal, against any further Grant to the Kildare Street Society. By Mr. JOHN WOOD, from the Inhabitants of Macclesfield, for a commutation of the punishment awarded to the Rev. Robert Taylor; and from the Retailers of Beer in Manchester and Salford, against any further restrictive enactments on the sale of Beer. By Mr. HUME, from the Merchants of Montrose, trading to Russia, against Quarantine Fees; from the Attornies, Solicitors, and Writers of Montrose, against the Attornies' Act; from a Parish in the Queen's County, against the Vestry Act; from the Citizens of Cork, against Tithes and Church exaction. [The Petitioners prayed, that the Funds of the Church should be applied to the support of the Poor]; from Thomas O'Brien, Cork, against the Vestry Act; from Monasterven, against the Vestry Act; from a Parish in the county of Cork, against the Grant to the Kildare Street Society; and praying the House, that the Catholics may be enabled to derive advantage from the Funds granted to that Society; from the Shepherds of Tweeddale, against the Tax on Dogs; from the Licensed Retailers of Beer at Brighton, praying, that the hours of selling Beer may be altered, and that they may be placed on the same footing as Licensed Victuallers; from Kidderminster, against the Corn-laws. By Mr. HUNT, from Edward Hancock, for the Repeal of all the Taxes that prevent the circulation of Books and Pamphlets; from the Merchants of Leith, against the Lighthouse duties; from the Shipwrights on the Tyne, complaining of the Timber duties. By Mr. BENETT, from the Inhabitants of Chippenham, for the introduction of Poor-laws into Ireland. By Mr. KEITH DOUGLAS, from the West-India Merchants and Planters residing in Dublin, against the renewal of the Sugar Refining Act.

REGISTERING OF VOTES.] Mr. O'Connell presented a Petition from the Inhabitants of Borris, in the county of Carlow, complaining of the present mode of registering freeholds before the Assistant Barrister. The petitioners stated, that if the present system were continued, Ireland stood a chance of being converted into a close borough.

Mr. *Henry Grattan* said, that he found the Registering Act, in several counties, to operate as a bar to freeholders.

Mr. *Dominick Browne* said, that in one county, Galway, 400 or 500 persons had, under the existing system, been registered as freeholders, though they had no proper claim to that right.

Mr. *O'Connell* corroborated the statement of the hon. member for Mayo. The system under the Registry Act was bad, and he hoped, that, under the new Bill, a regular session would be set apart for the registration of freeholds. The whole system at present was bad, and he hoped, that it would be amended.

Sir *Robert Inglis* regretted, that these observations were not made in a fuller House. The hon. member for Meath stated, that the registration was a bar to securing the rights of freeholders, and he hoped the hon. Member would repeat that observation in the presence of those Members who declared for the Bill, and the whole Bill.

Mr. *O'Connell* said, the evils which exist in Ireland would be remedied by the English Reform Bill.

Mr. *John Campbell* said, the system of registering votes had prevailed in Scotland for many years, and had been attended with beneficial effects. That was, perhaps, the only part of the representative system of Scotland that was worthy of imitation.

Mr *Keith Douglas* wished the House to remember, that the number of freeholders in Scotland was very small, and the same system that answered very well there would not answer for the numerous freeholders of England.

Petition to lie on the Table, and be printed.

TREGONY ELECTION.] Mr. *O'Connell* said, he had now to present a Petition from a gentleman, named Richard Gurney, under the following circumstances: On the 17th of November, 1830, he, and Charles King, Esq. petitioned that House, claiming to have been duly returned by the legal returning-officer, as Members to serve in Parliament for the borough of Tregony, but that a person, pretending to be the returning-officer had declared James Adam Gordon, Esq. and James Mackillop, Esq., to be duly elected. The case went before a Committee, which Committee had decided, that the petitioners were not persons who had placed themselves in a situation to be heard by petition. They had also charged bribery, as well as a false return, against the sitting Members. But the case having been opened, the counsel on the other side submitted, that they had not qualified themselves, under the Act of Parliament, to appear as petitioners at all. The petition had, in consequence, been found frivolous and vexatious, and the whole of the taxed costs were charged to Mr. Gurney. The hon. and learned Gentleman then went over the 50th, 57th, 58th, 60th, and 64th sections of the Act, chiefly for the purpose of considering how far the petitioner could claim relief by way of appeal from the decision of the Committee. He thought that, under the 64th section, which gave a party, amerced in the whole costs incidental to an election petition, the right of recovering a part of the expense from those who were joined with him in that petition, the petitioner was entitled to relief. If the Speaker did not think, that this was a fit subject for appeal, he would move to lay the petition on the Table, and give notice of a motion for granting the petitioner such relief as, in his judgment, he thought him entitled to.

The *Speaker* said, he had seen the petition, but he was not sure that he had examined it with all the attention which the nature of it deserved. Perhaps, the best course the hon. and learned Gentleman could pursue, would be, to suffer the petition to be brought up, read, and laid on the Table; and then to adjourn the Debate to a future day. The reason he proposed this course was, because there were a great number of points in that petition well worthy of the attention of the House.

The petition to be printed, and the Debate adjourned to Monday.

Tithes (Ireland).] Mr. O'Connell presented a Petition from certain tithe-payers, of Lea, in the Queen's County, praying, that the system of compulsory payment might be abolished, and the temporalities of the Church appropriated to the support of the poor.

Mr. *Henry Grattan* said, that the manner in which ecclesiastical dues were gathered in Ireland was most oppressive. He knew that, in the neighbourhood of Lea, tithes were rigidly levied; although rents had not been paid for a year and a half. He knew the incumbent to whom allusion had been made. He was an absentee, and had a vote for Dublin, and he had always been honoured by the reverend gentleman's opposition. It was an undoubted fact, that he annually received 984*l*. English currency, while his curate received 69*l*. 4*s*. 7½*d*.

Mr. *Ruthven* had been requested to support the prayer of this petition. The charge was of a gross nature: for it appeared, that a fraudulent arrangement had been effected by the clergyman, to the great injury of the people of the parish, and which reflected much discredit on him, but he feared the House could not relieve the sufferers.

Petition to be printed.

Vote by Ballot.] Mr. *Hunt* presented a Petition from certain persons of the working class, denominated the Westminster Political Union, praying for Annual Parliaments, Universal Suffrage, and Vote by Ballot. They also prayed, that there might not be any pecuniary qualification for voting. The hon. Member said, that he took that opportunity to observe, that the public feeling towards the Bill now in progress, had greatly changed. The people felt much cooler towards that measure. It was now, in fact, a dead letter. The people had had time to reflect on the matter, and the consequence was, that they were dissatisfied with it. Wherever he went, among high or low, he heard but one opinion expressed with regard to the Bill.

Mr. *Lawley* said, if public opinion had changed towards the Bill, public meetings should be held to give expression to that feeling. This was necessary for Members who represented a numerous constituency, that they might know what they were doing.

Mr. *Hunt* said, that those who entertained any doubts that such a change had taken place, should call public meetings to ascertain the fact. Let them call a meeting in London, and he would attend, and he would venture to say, that a very different feeling would be manifested towards the Bill, from what had been displayed a short time since. If they did not find that to be the case, he would not open his mouth again in that House. He would hold his tongue for the rest of his life. The people had been deluded, and were now discontented with the measure. Hon. Members said, why were not meetings called? Why, *The Times* had been calling for those meetings a long time without effect. Let a meeting of the Common Hall be called, and they would discover the change which had taken place upon this subject. A short time ago, if any person ventured to disapprove of the Bill—the whole Bill—he would not be heard. The case would be very different at present. He was bold to say, that any person might now oppose the Bill in that assembly, without any fear of not being heard.

Mr. *Littleton* said, that if the question was not unpopular, it was not the fault of the hon. member for Preston. He could assure the House, that, in the county in which he resided, the question had not retrograded, but, on the contrary, had risen in the estimation of every man of intelligence and education in the county. It was unreasonable to suppose, that the excitement which had prevailed on the subject, should be kept up now with the same intensity as had been at first manifested. It could not be expected. The country had fought the battle, and considered it as good as won—that the Bill was already carried. It was rooted in the hearts of Englishmen, and it was not in the power of any influence to stop its growth.

Mr. *Benett* said, if the people were dissatisfied with the Bill, they would have expressed their disapprobation through the medium of petitions. They were convinced the Bill would be passed, and were waiting with anxiety for the result. He knew there were persons who were anxious to withdraw them from the Bill. He thought, the only meetings which would be held on the subject, would be, to thank Ministers for their perseverance and success.

Mr. *Daniel Whittle Harvey* said, if the change in public opinion, described by the hon. member for Preston, had really taken place, let that hon. Member, and his new allies, call public meetings, and the matter would be brought to an issue. In the county to which he belonged, out of six Members, five had been returned favourable to Reform. The people, no doubt, felt regret at the tardy progress of the Bill, but if an appeal were again made to them, it would be attended with a similar result.

Lord *Valletort* said, it was one thing to call forth an expression of public opinion on any subject, in a moment of excitement, and another to get the people to retract that opinion afterwards. Much had been said of the delay which had been created to stop the progress of the Reform Bill, but he would be glad to know whence that delay arose, and with which side of the House the fault lay.

Lord *Morpeth* said, that as the Representative of a large county, he could assure the House, that the favourable opinion of the people towards the Bill had increased.

Sir *Ronald Ferguson* said, that in Nottinghamshire the people were more anxious than ever for the passing of the Bill. He could assure the hon. member for Preston, and his new friends, that they would not be able to stop the progress of that measure, or prevent it from being carried to a successful issue.

Mr. *Hodges* hoped the House would not be led into a discussion to answer the observations of the member for Preston. He was convinced the people were quite satisfied with the Bill.

Mr. *Paget* said, he knew of no delusion which had been practised on the people. The Ministry had not been guilty of any. They had been courageous and firm in their efforts to carry the measure through that House. If any one had practised delusion on this subject, it was the hon. member for Preston.

Mr. *James* denied that any re-action had taken place in the minds of the people on the subject of the Reform Bill. He could speak from his own knowledge of the inhabitants of Carlisle, that there was no re-action there. There was, indeed, a great deal of vexation on account of the delay created in that House by the opponents of all Reform. It had been said, that if the people had not relaxed in their zeal for the measure, they would have sent in more numerous petitions, calling on the House to hasten its progress. But the truth was, they had too much sense to give their enemies the opportunity of further delay by the discussions to which the presentation of petitions would give rise.

Mr. *O'Connell* said, that the noble Lord near him and the hon. member for Preston both talked of the people of England being careless about the fate of the Reform Bill. He believed, that in so saying they misrepresented the people. The people of England were too intelligent, and had too much knowledge of their own rights and interests, not to appreciate the very first clause of the Bill, which at once disfranchised so many rotten boroughs. Would the hon. member for Preston venture to say, that the people wished the Bill which contained that first clause to be rejected, and the system of nomination to be continued? No; they were not to be deluded by the representations of the hon. member for Preston, who wished to persuade them that the Bill would be improved by rendering it impossible to pass it into a law. He was ready to admit, that the measure was sailing through the Committee too slowly, but yet to certain success.

Lord *George Lennox* said, that the hon. Member who undertook to speak for the sentiments of his (Lord Lennox's) constituents, the people of Sussex, had taken too little pains to ascertain what they were. The hon. Member left London on Saturday, and returned from Brighton on Monday, in time to take his seat in the House at an early hour; so that he allowed himself only the intervening Sunday to obtain information as to the opinions of that large town. He (Lord Lennox) was well acquainted with the feelings of his constituents on the subject of the Bill, and he could affirm, that there were no complaints amongst them, excepting only against the slowness of the proceedings of the House with regard to the Bill.

Mr. *Hunt* had presented petitions against the Bill from most of the great towns in the north of England, and he thought it somewhat strange that noble Lords and hon. Gentlemen should pretend to know the opinions of the people better than they knew them themselves. At Preston the people wished for the rejection of the Bill, because at the same time that it would do no earthly good to anybody else, it would disfranchise them. For his part, he did not care whether the course which he chose to follow would obstruct the Bill or not, but he would on every occasion tell the truth, "whatever way it cuts." So far as he had gone, much as hon. Gentlemen misrepresented him, he had only supported the views of the immensely numerous petitions which he had presented.

Mr. *Hume* said, that there was the grossest inconsistency between the speeches and the actions of the hon. member for Preston. Why did not the hon. Member act like an honest man, and vote against the Bill, if he thought it as bad as he declared it to be? The hon. Member tried all he could to get up meetings and petitions against the Bill, and yet the hon. Member voted for the Bill. He must say, that the proceedings of such a Member were not worth attending to. The hon. Member had said, that everywhere he went he heard the Bill denounced. Now if this were the fact, the hon. Member ought to tell them what society he was in the habit of mixing with—for he never heard any thing against the Bill from persons with whom he conversed. Let the hon. Member call a public meeting on this subject; he would face the hon. Member at such meeting, and he would venture to say, that the result of it would be, that the people would indignantly deny the sentiments which the hon. Member attributed to them. When the hon. Member made his unmeaning complaint about the people being deluded, he would tell the hon. Member, that he was the only person in that House who could be fairly charged with practising delusion. Nothing could be more calculated to delude than speaking one way and voting another.

Mr. *Sheil* said, that the hon. Gentleman opposite (Mr. Hunt) having, on a former occasion, described himself as the Representative of the people of England, because he represented Preston, was quite consistent in taking the opinions of his constituents in that borough for the opinions of all England. Proceeding upon that inference, the hon. Gentleman predicted that the people would soon cease to think favourably of the Bill. But as the hon. Member's predictions on the same subject had before proved erroneous, he would probably allow the House to suspect, that on this occasion also he might be a mistaken prophet. In the last Parliament, that hon Member declared, that if the sense of the people were to be taken respecting the Bill introduced in that Session, they would be found to be adverse to it. But the election came on, and from all the counties of England only six opponents of the Bill were sent back to Parliament. Such having been the event of his predictions as to the last Bill, what reliance could be placed upon his prophecy concerning the present.

Mr. *Hunt* repeated, that the petitions which he had presented sufficiently proved that a majority of the people concurred with his opinions of the Reform Bill. The hon. member for Louth had charged him with designating himself the Representative of all England. But what he had said on the occasion alluded to was, that he considered himself the Representative of all the unrepresented portion of the people.

Petition to be printed.

ARRANGEMENT OF BUSINESS.] Viscount *Palmerston* said, that his noble friend (the Chancellor of the Exchequer) was so very much indisposed, that he would not be able to attend in his place that night, and he feared that it was more than probable that he would not be well enough to attend to-morrow night either. Under these circumstances he had an arrangement to propose to the House, which he trusted there would be no difficulty in adopting. He should propose, that to-morrow night the Reform Bill should not be taken, but that the House should go into Committee on the Irish Estimates; and that, as to-morrow would be a lost day to the Reform Bill, he should propose, that on Monday the Committee on that Bill should be proceeded with, to make up for the loss of to-morrow.

CLAIMS ON BRAZIL.] Mr. *Dixon* said, information had been received by the packet arrived that day from Rio, that induced him to ask the Secretary for Foreign Affairs, whether any, and, if any, what steps had been taken with respect to the claims of British subjects upon the Brazilian Government.

Viscount *Palmerston* said, that the Regency at Rio had been formed only three days previous to the sailing of the packet, and therefore it had hardly been possible for the Commissioners to make any representations on the subject.

Mr. *Dixon* understood, that some representation had been made by the Consul-general.

Viscount *Palmerston* was not aware of such being the fact. He could not at that moment give any minute information upon the subject; but he could assure the hon. Member that every proper effort would be made to substantiate and realise their claims.

FRANCE AND PORTUGAL.] Mr. *Courtenay*, in rising to move for papers relative to the late invasion of Portugal by the French, according to the notice he had given, said, that it had been intimated to him that it was intended to concede not only the first part of his motion, relating to Portugal, but also to give the papers relating to the negotiations with France upon the subject. This placed him in a situation so different from what he expected, and having had no opportunity of consulting others upon the subject, that he scarcely knew how to proceed. He thought it would be most unfair to impute to Ministers any fault when he had but an imperfect knowledge of the transaction; and under these circumstances, he thought the most consistent course to pursue would be that of moving for the papers without making any further comment, it being understood, however, that the noble Viscount (Palmerston) also was to abstain from comment, and that there was to be no unnecessary delay in the production of the papers. He was desirous of knowing if this arrangement would meet with the concurrence of the noble Lord?

Viscount *Palmerston* said, that there should certainly be no unnecessary delay in laying the papers before the House. He would just suggest, however, that the wording of the motion of the right hon. Gentleman did not embrace all the information which would be required upon the subject. It was confined to copies of the representations made by the English Government to that of France, relative to the invasion of Portugal, and the answers thereto; together with copies of the representations made by the English Government to that of Portugal; with the answers thereto. As this was insufficient, he should reserve to himself the right of moving for such other papers as might make up the necessary information. He should move for copies of the correspondence between the British Government and its Ambassador at Paris, and also of the correspondence between the British Government and the British Consul at Lisbon, upon the subject of the invasion of Portugal.

Mr. *Courtenay* should prefer making his motion as it stood, and should be happy to receive any additional papers which the noble Lord might think necessary. The hon. Member then moved, "that an address be presented to his Majesty for copies of the representations made by his Majesty's command to the Government of Portugal, concerning the insults and injuries to which his Majesty referred in his most gracious Speech from the Throne; and of the answers received from that Government, containing a compliance with his Majesty's demand;—and also copies or extracts of any application which his Majesty may have received from the Government of Portugal, in reference to the demands made upon that Government by the king of the French, and to the proceedings of the French squadron in the Tagus; and of the answers returned by his Majesty's command to such applications, and of any representations made to the Government of France thereupon, and of the answers to such representations."

Mr. *George Robinson* said, the arrangement which had been come to between the noble Lord and the hon. Member precluded him from making the remarks which he had intended to submit to the House. He could not, however, avoid repeating the question he had put last night, and which the Chancellor of the Exchequer had declined answering. He wished to know from the noble Viscount, whether his Majesty's Government had received any information to the effect that the French Admiral, not content with receiving compensation for the injuries the French said they had suffered, had demanded that the French should be placed in their commercial intercourse with Portugal, on the same footing as the most favoured nations, and had proceeded in negotiating a treaty to that effect? There was also another point upon which he wished for information. He held in his hand a list of the names of eight Portuguese ships of war, composing the fleet, of the present government of that country, which had been forcibly abstracted from the Tagus by the French squadron. He wished to know in what light this transaction was viewed by his Majesty's Government; and, if allowed, upon what principle, for it was not denied that the French government had received ample compensation without including these ships of war? He would not then go further into the question excepting to remark, that although the Governments of this country and of France professed perfect neutrality with respect to the parties claiming the Crown of Portugal, yet surely the forcible abstraction of this fleet would give an advantage to one party. He begged not to be understood as expressing himself favourable to Don Miguel or his government; but the transaction he had noticed required explanation.

Viscount *Palmerston* would answer the last question of the hon. Member first. As to the point to which that related, he could only repeat, that according to the best legal advice which the Government had been able to obtain, it appeared that, by the law of nations, the French government was entitled to consider those vessels as lawful prizes of war. He need hardly observe, therefore, that this Government had not interfered to prevent the French from retaining what were their lawful prizes. As to the first question of the hon. Member, he had to state, that by accounts which had been received from Paris and Lisbon that morning it was learnt that all the French fleet had left the Tagus, with the exception of a single frigate, which would remain for the protection of the subjects of France resident in Portugal. He had also to inform the hon. Gentleman, that it did not appear, from any information which had been received by his Majesty's Ministers, that there was the slightest ground to suppose that any commercial treaty had been entered into, or was projected, between the French and the Portuguese governments. The British Ambassador at Paris had been informed by the French Minister, that orders had been sent to the French Admiral to quit the Tagus, and when the despatch of the Consul-general at Lisbon left, it was understood that the fleet was under sail to return home.

Mr. *George Robinson* said, it was a matter of public notoriety that the French Admiral had demanded such a treaty as that he had alluded to, and he was glad to understand, that the demand had not been complied with. With regard to the other point, he would only remark, that this country having forced the passage of the Tagus, the example had been followed by the French, who in addition had seized the whole of the fleet of our most ancient ally, and placed this country in a most humiliating position.

Motion agreed to.

Viscount *Palmerston* moved, "that an Address be presented to his Majesty for copies or extracts of communications received by his Majesty's Government from the British Ambassador at Paris, and from the Consul-general at Lisbon, relative to the English and French expeditions to the Tagus."—Agreed to.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-FOURTH DAY.] On the motion of Lord John Russell, the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

The *Chairman* said, the Committee had proceeded in clause twenty-two as far as the words "Be it enacted," and it was proposed to insert the following after those words:—

"That no person shall have a right to vote in the election of a Member or Members to serve in any future Parliament for any city or borough, except in respect of the occupation of such premises as hereinbefore mentioned: Provided always, That notwithstanding anything hereinbefore contained, every person now having a right to vote in the election for any city or borough (except those enumerated in the said schedule A) in virtue of any corporate right, shall retain such right of voting during his life, in the same manner as if this Act had not been passed, and shall be entitled to vote in such election, if duly registered according to the provisions hereinafter contained; and that every person now entitled to take up hi freedom in any such city or borough in respect of birth, marriage, or servitude; and every son of a burgess or freeman of any such city or borough, such son having been born previously to the passing of this Act; and every apprentice bound to any person in any such city or borough, previously to the passing of this Act, shall be entitled to acquire the right of voting in the election for any such city or borough, either as a burgess or freeman, or in the City of London as a freeman and liveryman, in the same manner as if this Act had not been passed, and shall enjoy the right so acquired during their respective lives in the same manner as if this Act had not been passed, and shall be entitled to vote in such election, if duly registered according to the provisions hereinafter contained."

Mr. *John Weyland* said, that the wording of this clause required some explanation. It was confused and vague. As he understood the clause, it increased the objectionable character of clause twenty-one. The serious attention of the Committee ought to be given to the subject. Hitherto it had been held in the political world, that the person with no property was inferior to the person with some property; but according to the new system a very different notion was to be entertained. This clause was a complete extinction of those political institutions which were founded by our forefathers, and he was certain, that the intent and meaning of it could not be understood by those persons most immediately interested.

The *Attorney General* would, in a few words, explain the object of the clause. Under clause twenty-one, the right of voting was given in cities and boroughs to 10*l.* householders. The present clause reserved the right of voting possessed by resident freemen and the sons of freemen in such cities and boroughs, previously to the passing of this Bill, to such freemen and the sons of freemen during their lives. The object of the words, therefore, which had been introduced into the clause, with regard to which the hon. Member required an explanation, was to disfranchise all such kind of voters in future, so that after the death of the present freemen in cities and boroughs, and their sons, that class of men should not possess the right of voting.

Mr. *Edmund Peel:* In rising to propose an amendment to this clause, said I assure the Committee I regret exceedingly that I should find it necessary to introduce a subject for their consideration which has very recently undergone considerable discussion; but representing a constituency who exercise their elective privileges by being freemen, and having witnessed the anxiety they feel, that their rights should be permanently continued to their descendants, and that there should be no distinction between the children born previous or subsequently to the passing of this Bill, I should not consider I performed my duty to them if I did not use my best exertions to obtain the object of their most natural and anxious desires. I wish the House should understand it is not my intention to comprehend in the amendment I shall propose those freemen who obtain the right of voting by gift or purchase, It is the future resident freeman, by right of birth and servitude and marriage, whose cause I would advocate. It is for him I would preserve the constitutional privilege from the destroying power of this Bill. This measure will create a great constitutional change, which, in my opinion, can only be justified by great, important, and proportionable benefits; and, as I do not believe that, by destroying the rights of the resident freemen, and giving the power of voting to the 10*l.* householders, we shall create a class of voters more independent and less open to error and undue influence and corruption, I must look with disappointment and regret at the proposed alteration in our Constitution. As it is admitted there is no danger in allowing the resident freemen to retain their rights for the next forty or fifty years, and to exercise their power of voting together with the 10*l.* householders, who will be admitted to take a share in the future elections as soon as this Bill is passed, where, I would ask, can be the danger in allowing these ancient rights to be permanent? Where are we to look for the advantages to balance all the disappointments and dissatisfaction which this clause will inevitably produce? We are told by the supporters of this measure, that its objects are to conciliate, to unite, and satisfy all classes of the people as to the future Representation of the country, and to do away with nomination boroughs. Now, Sir, I wish to draw the attention of the Committee to such circumstances connected with the disfranchisement of freemen, as in my humble judgement will prove subversive of the principles it is intended to establish. The clause proposes, that the present rights of freemen should terminate with the lives of their children now born; beyond that limit they are no longer to exist. Thus eventually we shall destroy one class of voters, and by this Bill create another. Now, I ask the Committee from what description of future electors are we going to take this long-valued right? I say, from those who might be expected to feel a most natural and anxious interest in the prosperity of their native towns—probably in the scenes of their youthful and ingenious labours—from those who, under existing circumstances, would have exercised this right as an hereditary gift of their country, or as the just reward of their servitude—a right which has hitherto constituted a safe connection between the working classes of the people and this House. By severing this connection we shall produce, I fear, not conciliation, not union, not satisfaction, but indifference, if not dislike, to the future constituted and parliamentary authorities of the country. And to whom are we going to give the elective rights? Why, Sir, I say, in many instances, to the accidental occupier of a 10*l*. house, to the very dependent of the landlord, often to the mere resident of a year, who consequently may be a stranger unacquainted with the feelings, and unconnected with the interests of his fellow-constituents. Thus, Sir, I maintain, we are about to create a constituency less united, less independent, not feeling those natural ties, or possessing those valuable rights which have hitherto secured to the freemen by birth and servitude the elective privileges. I never will approve of the spoliation of the rights of this class of voters. I have seen many of them struggling with their difficulties, and enduring the severest privations to preserve them. These rights, then, are most dear to their feelings. They value, they would preserve them; and why should this House cause their annihilation? Why transfer them to a constituency whose claims are less natural, whose independence is less certain, and whose situation in life will be found not superior to that of the freemen by birth and servitude? The noble Lord (the Chancellor of the Exchequer) said, that few of these freemen would be prevented from voting at elections, because they might occupy the 10*l*. house; but I must tell that noble Lord, that the operatives in the smaller boroughs (who are equally as intelligent, equally as skilful, and as respectable as those living in large towns) will not be enabled to vote, merely because they do not live in houses of 10*l*. value. But, assuming they would, if any objections now exist, why would they be less likely to be practised, because they voted under another qualification? We should have (according to the noble Lord's own showing) the identical same class of electors, only voting from a different cause. But there is another subject connected with my Amendment, which I consider of the greatest importance in a measure by which we are told the people ought to be benefitted, and their rights and liberties be preserved—I allude to the effect which the disfranchisement of freemen may produce as to that undue influence by which nomination boroughs have hitherto been maintained. If this Bill was expected to create a class of voters more independent of the influence of the landlords, and less likely to be removed at their pleasure, and guided by their will, then it might support the just rights of the people, and preserve them from undue influence and corruption; but I cannot see that this measure is calculated to produce any such effects. I cannot see in it any safeguard for the independent principle of the elector, or any check upon the power of the landlord. He would still feel that power and the exercise of it would be rendered more easy by the diminution of the constituency. The hon. and learned Attorney General stated, in a recent debate on clause 21st, that the best security for independence was to be found in numbers. Sir, I agree with him in that statement, and therefore regret, that the numbers of voters in the small towns will be greatly reduced by the operation of this Bill. The elective franchise, derived from the various sources of birth and servitude and marriage, must, by the most natural reasoning, be productive of more independence than that which is derived from one source only, and by this Bill we shall have one class of voters, one claim to the elective privilege superseding all others, but, in my opinion, by no means establishing the point which this sweeping clause is intended to effect. Feeling this Bill will eventually invade the rights of a valuable class of voters—feeling it will not guard against undue influence and corruption, and will fail in the points it is intended to establish, I shall conclude by proposing an Amendment, to secure to the future resident freemen by birth, servitude, and marriage, a permanent continuance of their ancient and valuable rights.

Sir *Adolphus Dalrymple* supported the Amendment. He contended, that there was neither justice nor sound policy in depriving the freemen of their rights. Those persons formed a respectable, an intelligent, and an independent body of men, and were more likely to exercise properly the elective franchise than were the generality of 10*l.* householders. He hoped, therefore, that the freemen of corporations, who had for ages exercised their rights with honour to themselves, and advantage to their country, would not be deprived of those rights by an English House of Commons.

Captain *Berkeley* said, he represented a large body of freemen in the city of Gloucester, and begged the indulgence of the Committee, whilst he made a few remarks on the clause before them. And first, he begged to assure the Committee, notwithstanding all that had been said to the contrary, that the freemen of that place did, and do understand the manner by which this clause affected them; and although they might hope that such a clause would be amended in their favour, they would sooner give up that hope than the hope,'that the Bill should pass into a law. But he was bound to admit, that amongst the free women there was a very strong feeling against this clause of the Bill. The wives of freemen, and the mothers of families were very naturally opposed to it on account of the valuable charities founded by bequest in that city, for the maintenance of a certain number of widows of freemen, and for the maintenance and education of a certain number of their sons and daughters. To enable them to share in the benefit of such charities, the husband or the father, as the case might be, must have taken up the freedom, for which there was a trifling fee, amounting to a few shillings. Now, the ladies feared, and he thought these fears were well grounded, that if the right of voting were taken away, the freemen would frequently neglect to take up such freedom, and that even those who might save a pittance from their weekly earnings to enable them to do so, would be tempted, from various causes, as they could not make all men alike provident, to spend the money so saved for other purposes; and before a second sufficient saving could be made, the wife might be a widow, and the children orphans, cut off for ever from the benefit of such charities. The frequency and excitement of elections brought the right frequently to their minds—nay, the necessity of taking up the freedom before a vote could be given secured to the families their eligibility to partake of the charities. Besides, he could not but think that it would tend to deprive the poor and hard-working orders of freemen of the benefits of the charity, whilst those of better prospects would be able to command the necessary fee, and the object of the charity thus be defeated. As the elective franchise was secured to them for the next fifty years, as had already been remarked by the hon. Member who brought forward the Amendment, he could not foresee any evil, or any departure from the principle of the Bill, by continuing the right of voting in perpetuity.

Mr. *Buck* said, that although he had given his support to a very large portion of the Bill, yet he felt bound to oppose this clause which was unjust and severe; the freemen of the city he represented (Exeter) were independent and respectable, and no charge whatever of corruption could attach to them. He had the honour of sitting for that place some years, during which, although there had been several contests, he had never paid one of the electors a shilling. He reluctantly opposed the Government upon the present clause, but he could by no means consent to be a party to deprive his constituents of a privilege they had so well used.

Lord *John Russell* said, that it was quite impossible to admit such an Amendment as this. The question was, whether the present clause, which went to preserve the right of voting to existing freemen in cities and boroughs, should be so altered as to preserve to all future freemen in such cities and boroughs that right in perpetuity. The principle of this Amendment had been already rejected by the decision of the House on Saturday last, and he did not see that there were anygrounds for making this class of voters a peculiar exception from the operation of this clause. If the rights of freemen were to be excepted, and if they were to be preserved to them for ever, they would be then asked to preserve the right of voting to the scot-and-lot voters; and if they did so, the freeholders would then have a right to complain, that their right had not been preserved to them. So that one by one, each of those class of voters would claim the maintenance of their rights, and one by one they would claim to be excepted from the operation of the disfranchising clause of this Bill. He did not deny that the resident freeholders were a respectable class of voters in such boroughs as Newcastle and Gloucester, and places of that description, but he would contend, that while their rights were preserved to all existing freemen under this clause during their lives, there would, in all those places, be soon produced, under the operation of the 21st clause, a sufficient constituency, and a better regulated and more extended franchise, than hitherto existed there. The question was, whether the 10*l.* franchise did not give a sufficient share in the Representation, and a sufficient power to the industrious classes of the country. He thought that it did, and he should therefore oppose this Amendment.

Sir *Matthew White Ridley* said, that some more sufficient ground should have been laid to establish either the justice or the expediency of taking away such a right as this, from persons who had so long exercised it, without any complaint having been made that it had been abused. The chief objects of the Bill were the destruction of the nomination boroughs, and the extension of the franchise; and surely these desirable objects could be obtained without disfranchising persons who had inherited privileges which ought to be sacredly preserved. In large corporations, the exercise of the franchise allowed the mechanic as well as the merchant, a control over the persons who were to represent them. By excluding their descendants an injustice was done to them. The freemen of Newcastle had declared, that although they regretted such a clause had been introduced into the Bill, yet if a retention of their privileges was considered a bar to its passing, they were willing to resign all their own views to ensure its success. This was an additional reason for him to endeavour to preserve those rights to persons who so well deserved to retain them. If this Amendment should go to the vote, he should, on the principles of justice, feel it his duty to vote for it.

Colonel *Beresford* said, the noble Lord, the member for Devonshire, asserted, that the hon. mover of this Amendment used but one argument in favour of his Amendment, which was, that the small value of property in the lesser boroughs would act so as to exclude a numerous class of respectable voters from the 10*l.* franchise. He begged to say, that he could state another as regarded the borough he sat for, and he was too humble an individual to argue the general advantages of this Amendment, that had been so ably, and to his view, conclusively done by the hon. mover. He should content himself with stating what he knew of the hardship that this clause as it now stood inflicted on the borough of Berwick. Perhaps the noble Lord was not aware of the circumstances of that borough. The number of voters was 500 resident, and 643 out-voters. These latter it was proposed to disfranchise, and he thought most improperly and unjustly. The whole of these freemen were members of a Corporation, and on residence acquired certain valuable rights, but none more so than that of property, for the property of the Corporation of Berwick amounted to upwards of 10,000*l.* a-year, and the resident freemen shared this, under certain restrictions, amongst them; and the minimum was equal to what the Constitution had settled as a qualification for a county voter, 40*s.* What right, therefore, had the House to acknowledge the right of one, and to disfranchise the other individual, entitled by inheritance to at least an equal right under which the county voter claims to vote? Again, under the Bill the hardship so well described by the member for Gloucester, would arise. So little interest would be held out to the freeman to take up his freedom, that he would neglect it and so deprive his widow of what she now enjoys at Berwick as at Gloucester. Whatever generosity the hon. member for Newcastle-on-Tyne (Sir Matthew White Ridley) might be permitted to exercise by his constituents, he was instructed to advocate the rights of those of Berwick without any power to give them up in their names. Again, the principle of this Bill, which it assumed as a merit, and which its supporters praised it for, was, that it increased or extended the franchise. But this principle was grossly violated in the case of Berwick. The number of freemen now was 1,143, 500 of which were residents, and so would retain their franchise; add to which 250, the new voters, would make 750. And what in forty years would be the case? Why, any annuity office would tell you that the franchise would be reduced to the householders amounting to 350, and so in the end make it a close borough; and every one who knew it now would agree with him that a more open one does not exist—that no Member can reckon with security on his return. Notwithstanding the wilful misstatements of public journals, and anonymous correspondents, the story that he paid an agent, who kept him secure, was all a fabrication. That agent would not support him, or any one else, unless he approved of their conduct and coincided with their sentiments; and he was no more sure of his support unless he had merited it and felt as great an anxiety to gain his suffrage as that of any other respectable individual. Thus, then, after years of hardship spent away from his native town, the out-voter comes back and finds himself, or at least his son, born free, by this Act deprived of his franchise; and that son, whose exertions have perhaps been crowned with success, returns and sees his elder brother, who has perhaps been hanging on idly, and neither respectable nor independent, in possession of what he had been deprived of so unjustly. His hon. colleague proposed as a boon, while the Bill with one hand disfranchised these voters, to make up the deficiency by adding Tweedmouth and Spittal to Berwick. He must object strongly to that. He saw no reason for disfranchising those who now voted, and thought they would find very bad substitutes in the persons proposed. There was another part of this clause to which he strongly objected, viz. to the small limit of seven miles, which, in the case of Berwick, deprived a numerous class of most respectable voters of their franchise, without giving them a vote elsewhere; and he suggested, that as Berwick was a peculiar borough, it would not be established as a precedent, or injure the principle of the Bill, if it was extended in its case to fifteen. For any extension he knew his constituents would be grateful. He could, however, hope for nothing more advantageous, than the Amendment of the hon. mover, and he should afford it his strenuous and firm support.

Mr. *Burton* said, that he conceived it to be one great principle of the Bill, that it professed to open, not to close, boroughs, to extend, and not to contract the franchise; this clause, however, violated these principles. In Beverley, which he had the honour to represent, there were 1,500 voters respectable and independent men. There were several instances in which nearly the whole were polled in the course of one day, which proved they were an orderly and well-conducted constituency, and yet the children of such persons were to be deprived of this right, which it was their fathers highest ambition to exercise justly. The voters would be gradually reduced from 1,500 to make 328 10*l*. householders, for there was no more than that number of houses of adequate value in the borough. He had no desire to exclude these, but he wished them to be added to the resident freemen, to the exclusion of the non-residents. Such an infusion of fresh voters would add all the respectable residents of a town, and would go further than any other arrangement to put an end to nomination.

Mr. *Miller* said, he had all along opposed this most iniquitous Bill in every stage. He would therefore support the Amendment, being desirous that the hereditary rights of burgesses should be preserved. This, in his opinion, was the most objectionable part of the Bill, though highly objectionable in almost every part. The effect, he felt certain, would be, to lessen the constituency, and to substitute a far more objectionable qualification. As in the case of Berwick, there were numerous burgesses who had a deeper interest in the preservation of the Constitution than those to whom this Bill gave the right of voting. His constituents had a strong objection to this particular clause of the Bill, and he therefore would oppose it with all his power.

Captain *Fitzroy* said, in justice to his constituents, the burgesses of Great Grimsby, who displayed so magnificent a spirit of independence, he must oppose a clause which went to rob those honest and incorrupt voters of their rights. At present there were 400 electors in Great Grimsby. There were not quite 100 10*l*. houses in the borough; so that, in place of extending the number of electors, it would here be greatly reduced. There were, however, 300 or 400 5*l*. and 6*l*. householders, and, in consequence of the cheapness of houses, and of the greater cheapness of living generally, these 5*l*. and 6*l*. householders were more independent and more intelligent than 20*l*. rent-payers in London, Manchester, Birmingham, and such large places. It had been said, in answer to the objections against this clause, that no person was deprived of his rights—that they were preserved to all who at present enjoyed them. But he would put it to the House whether the freemen of Great Grimsby and other places could be satisfied with mere personal enjoyment? Must they not entertain, naturally, a strong desire to transmit their rights to their children, and those who were to come after them? They did entertain that desire as strongly as the higher classes did to transmit their fortunes and their titles to their descendants.

Mr. *Daniel Whittle Harvey*:—No one could feel more opposed to the clause for the disfranchisement of corporate votes than I did when it was first submitted to the House, because no attempt had been made to ascertain the sentiments of those whose interests and feelings were to be exclusively affected. But this difficulty has been obviated by an appeal to the people, without which, or, when made, if followed by a different result, such a proceeding would have been justly deprecated as a violent outrage upon existing rights. This appeal to the public mind has been made, and the result has justified the measure. The Bill has been read and canvassed in every club, its bearings and effects are well understood, and the citizens and burgesses of the kingdom have given a splendid example of their disinterestedness and their attachment to the great cause of Reform, in their readiness to sacrifice their personal interests upon the common altar of their country. At the same time it should be borne in mind, that this Bill not only conserves all existing rights, but it respects all rights which shall come into actual existence to the moment that it receives the Royal fiat. I wish I could discover in the conduct of hon. Members opposite as much solicitude for the distresses of the existing generation, as they affect anxiety for the immunities of unborn beings. It is not the province of practical statesmen to legislate for remote times; a period of fifty years is abundantly distant, upon which the anxiety of legislators can be fairly expected to exert itself. Other times will bring their own Reforms. No body of constituents could be more justly jealous of their corporate rights than those whom it is my honour to represent, but they are, at the same time, a reasonable body of men. They felt, that it would be idle and ungenerous to denounce nomination boroughs and borough proprietors, and yet contend for the perpetual existence of their own mixed and varying franchise. It is a great and important object of the Reform Bill to establish an uniform right of voting in all cities and boroughs, and which can only be effected by providing for the eventual extinction of the manifold and conflicting qualifications which now exist. I regret exceedingly the absence of the noble Lord (Althorp), and especially the cause of it, as I should have pressed most earnestly on his attention the propriety, and indeed justice, of repealing the stamp duty of 20*s.*, paid on admission. This imposition bears most heavily on the industrious portion of my constituents, and, if not removed, will tend to prejudice their municipal claims. The hon. member for Gloucester has alluded to this matter, and has stated that the widows and orphans of the freemen of that city are entitled to many thousands a-year. In Colchester, the funds which ought to be divided amongst the resident burgesses fall little short of 1,500*l.* a year; and I can anticipate the period when the select few will have a motive in reducing the number of recipients. At present, it is not an unfrequent practice for candidates, at elections, to assist those burgesses who cannot pay the admission fees; but the time will come when the inducement will cease, and I would then ask, in what way is the poor man to vindicate his right. Thirty shillings may appear a trifling sum to hon. Members, but I have known many instances in which some of my firmest and best friends have struggled with the extremest necessity rather than lose their votes, by accepting of the miserable pittance arising from parochial aid. In what way are these honest citizens to get the 20*s.* wherewith to pay the stamp, in addition to other charges, making in the whole nearly 30*s.*, and which in many places is considerably higher. I avail myself, therefore, of this occasion to express my determination, at the proper period, to move the repeal of this duty, and in the full expectation that Government will sanction the proposal. It should be borne in mind, that this Bill rather alters the right of voting than diminishes the number of electors. In Colchester, there are about 400 resident burgesses, more than half of whom would be entitled to vote, as the occupiers or owners of 10*l.* houses. And herein, I must think, is to be found one of the many excellencies of this Bill. It virtually excludes no man, for it holds out to the industrious mechanic—to every one who sustains himself by an honest course of industry, the means by which he may connect himself with the constituency of his native town, and thus gives him an interest in the politics and property of his country. For these reasons, I shall vote against an amendment, which originates with the enemies of Reform, and who take the present course, in the hope of entangling the friends of the Bill, and impeding the triumph of the great measure itself.

Sir *Robert Peel* said, nothing could be more unjust than the charge made against his hon. relative, by the hon. member for Colchester. His hon. relative, so far from having any wish to take advantage of a thin House, had given long previous notice of his motion. He had, at an early period of the Session, intimated his intention of bringing the subject before the House, and on Saturday last he had waived his right to bring forward the Amendment, on account of the small number of Members in the House. It was not, therefore, the fault of his hon. relative if more Members were not present to take part in this discussion. The question was, whether a case had been made out for disfranchising freemen? and he must say, that a more miserable defence had never been set up for any measure of injustice than for the present. The hon. member for Colchester had borne testimony to the character of the freemen of that borough—had referred to the privations and hardships which they were ready to undergo in the honest exercise of their hereditary privilege—and yet he expressed his determination of voting against them. The hon. member for Exeter, and the hon. member for Gloucester, and the hon. member for Newcastle, Gentlemen who were friendly to the Bill, had all borne testimony to the independence of the freemen of their respective boroughs; but hon. Members, in spite of such authority, were ready to give up the cause of their constituents. It was not true, as had been argued, that if this clause were rejected, his Majesty's Ministers ought to relinquish the Bill. They would not be justified in relinquishing the Bill on such grounds. The Amendment would not give the right of voting to non-residents. It confined the franchise only to resident freemen, who had obtained their freedom by marriage, birth, or servitude. He was unwilling to forfeit the franchise of those who had done nothing whatever to deserve the forfeiture, and who were described by all the Members who had spoken, as persons of great respectability and independence. The hon. Member afforded them the consolation that their conduct might be an example to the 10*l.* householders. A fine example indeed! They have exercised their privilege with integrity and honour—and what is their reward? That they are to forfeit it for ever! He had said last Session, that it would be a great hardship to exclude altogether from the franchise those persons who rented houses under the value of 10*l.*, and, notwithstanding the sneers of some hon. Members, who talked of an endeavour to enlist the discontented in favour of the opposition to the Bill, he retained the same opinion. It was an error to sever altogether the connexion which now existed between that House and the humbler class of voters—unwise to brand all below a particular line with disqualification; it was a great hardship, too, on the excluded class—many of whom, in country places, were men of better education than those of the same rank of life in populous cities, and the day would yet come, when they would step forward and declare, that they were not satisfied, and claim the restoration of their rights. It was the argument of the supporters of the Bill, that this class was advancing in intelligence, and why then exclude them now, when they are capable of understanding the injury, from all participation in the Constitution? He was not for an indiscriminate admission of any class of voters, but he was for the maintenance of existing hereditary privileges, particularly when those privileges were possessed by the humbler classes of society. We had an hereditary Monarchy, an hereditary Aristocracy, and hereditary rights to property. We defended all these with the utmost pertinacity, but we had no scruple in confiscating the hereditary privileges of freemen. Beware of the precedent you are establishing. You cannot forfeit one class of hereditary privilege, though it be the humblest, without shaking the foundation of all. Independently of considerations of justice, there were considerations of policy to recommend the preservation of the corporate right of voting. It would tend to diminish the force of that objection which had been urged to the uniformity of the franchise established by the Bill. He hoped he should have the support of the Attorney General for the Amendment, for the hon. and learned Gentleman, on a former occasion, had argued, in discussing the 21st clause, that the more numerous the constituency, the more likely were they to be independent and incorruptible. The effect of the Bill would be, to reduce the number of voters, in some instances, from 1,500 to 400, and in others, even so low as ninety-six. He was sure, therefore, that the Attorney General could not, on his own principles, agree to such a reduction. The privilege was not prized by the present possessor so much on his own account, as on account of the hereditary right which the father transmitted to his children; on that ground, and not on any sordid principle, the loss of this privilege would be severely felt. The ministers had tried, but could not purchase the consent of the freemen to the forfeiture of the birthright of their children, by protecting their own existing interest in the franchise.

The *Attorney General* said, that his argument did not rest on numbers alone, but comprehended numbers and property. He never could have advocated the principles imputed to him by the right hon. Baronet, because these would lead to Universal Suffrage. He thought Government had acted wisely in giving the franchise to a class to whom it might be safely given, and in withholding it from others, when the public convenience required it. In answer to the remark of the right hon. Baronet, as to Government continuing the franchise to freemen for fear of making themselves unpopular, he would only say, that Government evidently had not acted on such a principle, for they took it away from non-resident voters, and thereby risked the return of many of their friends. The right hon. Baronet had declared, that taking away the elective franchise from Corporate voters was but a bad requital for the public spirit which those privileged persons had exhibited; but he could tell the right hon. Baronet, that those people would justly have treated Ministers with scorn, had they violated the principles of the Bill, out of any regard to their interests and feelings, or under a plea of rewarding their conduct. The measure had been resolved on in both cases, not as a perfection, but as a question of expediency, and those who saw it in the same light as he did, must regard it as one peculiarly necessary for securing an independent and respectable class of voters. Much had been said about the feelings of the people beginning to cool; but this was said the first week of the Session, and had even been advanced before the dissolution. An appeal had been made—the people approved of the Bill, and the whole Bill; and he should consider it unjust at that stage of it to introduce a clause which would be a perversion of it. Much had been said about the independence of freemen, but he knew that the greatest corruption prevailed among that class. The gallant member for Berwick had spoken of that borough, but he had said nothing about the independence of the freemen. He approved of that clause of the Bill, because it would introduce a more expeditious and simple mode of voting. It ought to be borne in mind, too, that though such an outcry had been raised in that House—though his hon. and learned friend (Sir Charles Wetherell) had sounded the tocsin, and raised his voice against Corporation robbery—only three or four petitions had been presented against the measure. He believed that those who wished to retain the franchise were most anxious to have it placed on a different footing from the present. He could speak from experience. He had been twice in Nottingham since the election, and he had not heard one murmur of complaint against the clause. Allusion had been made to the injustice of depriving freemen of the benefit which they at present derive from charities and bequests, but there was no ground for such a charge; they would continue to enjoy these as they had hitherto done. He thought there was some security that a man renting a house worth 10*l.* was comparatively above want, and not so liable to be bribed as a freeman who did not occupy a house of that value. Complaints had been made against the Bill, as if it would be favourable to the lawyers; now, the very reverse was the case; for if the freemen, merely as freemen, were deprived of the right of voting, there would be an end to *mandamuses*, and other suits, respecting the right of freemen to vote at elections. He contended that the clause, as it now stood, was much better than the Amendment. It did not disfranchise any existing freeman; and as to the posterity of those who now lived, he believed that a freeman would rather see the prospect of his son voting from holding a 10*l.* house, than that the elective franchise should proceed in the way it now did.

Sir *Charles Wetherell* said, that he was at a loss to conceive how his hon. and learned friend (the Attorney General) could reconcile the two clauses with each other (the 21st and 22nd clauses), the one being directed to extend the elective franchise, the other to limit. In the course of Saturday's discussion it might be recollected by those hon. Members who happened to be present —for there was but a thin attendance of Members—that he had alluded to the inscription on the box containing the freedom of the city of London, to the noble Lord the Paymaster of the Forces, and said, that the words Magna Charta and Reform were incompatible; for in Magna Charta those very rights were declared to be inviolate which the Reform Bill destroyed. He had examined Magna Charta since, but at the time he had a perfect recollection of the substance of one of the clauses of that great charter, and it insured all the boroughs their privileges and rights. His hon. and learned friend said, that Ministers did not put this case on the ground of forfeiture—and so said the noble Lord not then in his place. No—the boroughs in schedule A and B were not disfranchised on the ground of forfeiture, but because they were contrary to the principles of the Constitution. But on what grounds were the freemen to be disfranchised? Had they departed from the spirit of the Constitution? Why every incorporate town, and the privileges of every freeman in them, were as sacred as any right acknowledged by Magna Charta. In cap. 9 it was said, and he begged in particular the attention of the Members of the city of London to the passage, "The city of London shall have all the old privileges and customs which it hath been accustomed to have: moreover, we will and ordain that all new cities, boroughs, and towns, by the terms of the five provisions, in all their parts, shall have their liberties and free customs." For 800 years the rights of freemen in towns had been as sacred as any personal right to property. Indeed there was no distinction between the two; for in a subsequent clause Magna Charta declares, that no man shall be deprived of his freehold. He might perhaps be told again, as he had been told before by some constitutional antiquarian, that when Magna Charta was granted, boroughs and towns did not possess the right of Suffrage; for besides that the House of Commons, as at present constituted, was not then in being, the first Corporation which received the right of returning Members of Parliament was that of Wenlock, in the reign of Edward 4th, and that, therefore, there was no violation of Magna Charta in the present clause, as it attacked none of the "privileges and free customs" then possessed by boroughs. The answer was plain: it was the law of the land—at least as he interpreted it and as expounded at our legal tribunals, that the article in Magna Charta not only secured boroughs and corporations the privileges then enjoyed by them, but also every other acquired right which they might receive in their corporate capacity; of which newly-acquired rights he need not say the franchise was the most important. To deprive the freemen of England of their long-established right of franchise, was to subvert the institutions of the country, as confirmed by Magna Charta; and in this light the country was beginning to regard the disfranchisement portions of the present Bill. Indeed, he had reason to know, that the circle of dissatisfaction around the Bill was daily becoming wider and wider, and would, ere long, include every man in the empire who valued the rights of Englishmen. He might with ease quote cases in point of this important fact; but could not take it upon his memory to cite all the towns and boroughs which had already expressed their dissent from the Bill, by returning Anti-reformers, or approving of the conduct of its opponents. For this purpose he should have to construct a schedule A of the towns against the Bill, in which would be found Great Grimsby, Durham, Beverly, and Dublin, and several other large and populous towns and cities. He believed, also, he might include Colchester, the hon. Representative of which would find it to be his interest to support the present Amendment. Unless, too, he had been very much misinformed, he might, he believed, include the liverymen of the city of London, as dissatisfied with a Bill by which they would lose more than they possibly could gain. The country knew that the right of freemen to vote for the Representatives of towns and boroughs was, as his right hon. friend, the member for Tamworth, had observed, an hereditary right, and that principle once adopted of attacking and spoliating hereditary rights, no man could take it upon him to say where it would end. There were two modes of destroying hereditary rights—either to begin at the top and go down to the bottom, or to begin at the bottom and go up to the top. If they looked to the proceedings of a neighbouring State—that is, to the Reformers of that country—they would see a striking illustration of the former mode of attacking hereditary rights and privileges: the present clause, by which the hereditary rights of the freemen of England were to be at one fell swoop destroyed for ever, was an instance of the attack from the bottom to the top, preferred by the popular reformers of this country. The French chambers, in abolishing the hereditary privileges of the Peers, began in the reverse mode—that is, they commenced with the drawing-room, while Ministers commended their spoliation of hereditary rights at the ground floor, by and by to mount up to the higher portion of our constitutional edifice. He should like to know on what ground Ministers, having once admitted and acted upon the monstrous principle of robbing the freemen of England of the elective rights which they had enjoyed and inherited for centuries, could refuse their "movement" Reform allies, to join in the spoliation of the other hereditary rights and privileges which were at present part and parcel of the Constitution? The Paymaster of the Forces, and the Chancellor of the Exchequer belonged to the hereditary peerage of England, and if they, by the 22nd clause of the Bill, remorselessly wrested from the boroughs and corporate towns their most cherished hereditary rights, on what ground could they refuse their assent to a proposition which would reduce them to Citizen Russell and Citizen Spencer? If they, he repeated, thus decimated the Corporations of the country, and robbed the freemen of England of their long-inherited rights—if they thus laid down a standard of social outrage, hereafter to be appealed to by their more eager and more consistent allies, how could they attempt to withhold their aid from some more extensive scheme of spoliation which by and by will be proposed, and which most probably will embrace, not only the hereditary privileges of the English aristocracy, but may attack the very basis on which our monarchical institutions at present rest? Were they so blind as not to see the fatal consequences of the principle they were acting upon? Or so conceited, so infatuated in their feeble self-complacency, as to imagine they could prevent their occurrence? No doubt, Lords Althorp and Russell wish to remain so, and not sink to the level of their democratic allies; but did they imagine that their wishes would be the goal to which all the efforts of the "movement" Reformers will be directed? The next relay of Reformers would take up the hereditary-privilege-spoliation principle when the noble Lords shall lay it down, and thanking them for having so skilfully pioneered the way—for having opened a new road to the hereditary rights of the Constitution—will, of course, not stop till they reach their *Ultima Thule*. Would their reforming friends stay themselves in their course at the bidding of the noble Lords, the supposition was monstrous. The hon. and learned Gentleman repeated, that the 22nd clause was not, in his mind, justifiable on any moral, political, or legal grounds. Ministers disfranchised the small boroughs for no reason but because they were small, and now most inconsistently proposed to disfranchise the corporations of the large towns, merely because they were large. Let them look, too, at the monstrous inconsistency of applying the same principle to the non-resident and the resident freemen. And look, too, at the monstrous inconsistency of a Ministry vaunting itself upon its attention to popular rights, beginning a system of spoliating the hereditary rights of the democratic portion of the community; but let them beware: the principle of spoliation once acted upon, those corporate privileges which were expressly secured by Magna Charta, being thus trampled upon, they might soon be called upon to join the present opponents of the Bill, in defending, not only the hereditary rights and privileges of the Peerage of England, but of the Monarch himself. Yes, in this clause was planted the seed of the destruction of the monarchical institutions of this country; for the right on which the hereditary succession to the Throne was founded, and by which the Peers enjoyed their titles and property, was the same in kind and degree as that by which the freemen of England enjoyed the right of franchise in Corporations. This important fact did not escape the sagacity of the levellers who figured in the early periods of the French Revolution, for their first act was the destruction of all corporate and municipal privileges, as the surest means of successfully attacking the Throne and the Altar, and thence those institutions which were their main stay. He would not then pursue a parallel between the progress of the Reform Bill and of the French Revolution; but he would call upon the House to bear in mind, that amid the vicissitudes, and feuds, and intestine commotions which made the reign of Charles 1st and of Cromwell so remarkable in the annals of this country, the most sedulous care was invariably bestowed upon the preservation of all corporate privileges. In conclusion, he called on Ministers to pause in their ruinous course. If they did not, God grant that the majority out of doors might have more prudence than to follow the example set them from within—of acting upon a principle of spoliation, without crime, or any moral, political, or legal ground of forfeiture.

Mr. *Stanley* could not but congratulate the hon. and learned Gentleman, after his six weeks' respite, on refreshing their memories with the almost-forgotten tales of Corporation robbery—Cromwell—the French Revolution—and the hereditary privileges of the Peerage and of the Monarch. He could not but remark on the discrepancy in the argument of the hon. and learned Gentleman, and the right hon. Baronet (Sir R. Peel); one of whom contended, that the Amendment would not affect the principle of the Bill, while the other supported it, on the ground that it would affect the principle. What was that principle? Simply the extension of the franchise to the wealth and intelligence of the people of England; and, so far from Ministers departing from it in the present clause, the fact was, the departure from the principle consisted in their anxiety to preserve the life-interest of all resident freemen. His hon. and learned friend had clearly shown, that the forfeiture which the clause would effect applied to the class, and not to the individual, and that it was justifiable on the principle that it was essential to the promotion of the great object of the Bill—a sound and *bonâ fide* system of Representation. The hon. and learned Gentleman was greatly in error in stating, that the circle of dissatisfaction on the part of the people as to the Bill was on the increase. The fact was, the only dissatisfaction against the Bill arose from the very slow progress which, thanks to the hon. Gentlemen opposite, the Bill had made. The feelings of the people as to the Bill had been too clearly evinced on the late election. Witness the large majority which had been returned, pledged to the Bill—witness the fact, that in all the large towns the enemies of the measure were obliged to withdraw. Indeed, if he had not been greatly misinformed, the hon. mover of the Amendment (Mr. Edmund Peel) was indebted for his return for Newcastle solely to his assurance that he would support the Bill. It would be for the hon. Gentleman to reconcile to his constituents his professions and his practice, and if there was any faith in figures, the large majority of the freemen of large towns were friendly to the Bill. Lincoln might, perhaps, be an exception, but only an exception. The present clause, he begged hon. Members to bear in mind, left untouched the rights at present enjoyed by resident freemen, and only put an end to the system of non-residentship, the fruitful source of bribery, expense, and corruption.

Mr. *Edmund Peel* begged to be allowed to say, in reply to the right hon. Secretary for Ireland, that he had given no assurance at Newcastle that he would support the Bill. In fact, he had done quite the reverse, for he had been returned after declaring most distinctly that he would oppose the Bill.

Mr. *Goulburn* said, that the franchise of men who were free from imputation ought not to be sacrificed, as they would be by this clause. Why should the freeman's son born on the 1st of October have a right to vote, while the son born on the 2nd of the same month would not have that right? He cared not for what had passed at the general election; but one thing was clear, namely, that parents were anxious to transmit rights to their children. What answer could be given to this question—why should not the children of freemen have the right of voting, even if they were not born before the 1st of October? There could be neither danger nor inconvenience in this Amendment, and therefore he would support it. No reason had been given for rejecting the Amendment now proposed. The Government seemed determined to carry their Bill exactly as they thought proper, while he, exercising a sound discretion, felt it his duty to support the Amendment.

Mr. *Protheroe* came into that House prepared to support the Bill, and the whole Bill; but, at the same time, while he was bound to support its principle, he was at perfect liberty to exercise his discretion, and free to vote, if he chose, for any alteration which he might consider as really an amendment, and perfectly consistent with the principle of the Bill. This he said, in order to show the Gentlemen opposite, that he was not so fettered as they might imagine. But he did not think that the proposed alteration was an amendment, and therefore, he would not support it. With respect to the freemen of Bristol, he believed there were no direct means of corruption employed among them ; but, at the same time, it was notorious that the candidates were in the habit of taking out their freedom for those who were qualified, and these freemen were launched out into the world, under some particular colours, red or blue, and were thus made, instead of real freemen, only the slaves of a party. He did not think, that it was consistent with the principle, to extend the franchise to freemen of this kind, so far as was proposed by this Amendment. He thought it would be a great improvement to separate the elective franchise from corporate charities, as the effect would be, to render these charities much more subservient to the purposes for which they were originally intended. He had, in the face of his constituents told them he objected to the system of freemen. He now repeated, what he had formerly asserted, that there was no change of opinion in the minds of the people respecting the Bill, they still regarded it with great favour, as he continued to do, and was resolved to give it his support.

Mr. *Greene* said, that in supporting the Amendment he did it with a sincere desire of supporting the principle of the Bill, which was for the extension, and not for the restriction of the elective franchise. He complained, that without this Amendment the constituency of the country would be much diminished. In the borough which he had the honour to represent, there were at present 3,000 or 4,000 voters. There were not, however, more than 550 10*l.* houses; so that, even with the rights reserved to resident freemen, the constituency of that town would, in future, be not more than 1,000.

Mr. *George Robinson* said, that he was returned by 2,500 constituents, all of whom were freemen, who were in general disposed to make great sacrifices to promote a measure which they considered a general benefit, and, therefore, he desired they should not be called on to give up more than was positively necessary. He thought no necessity existed for the proposed change, and when the Government proposed to retain the existing rights, and to destroy the prospective rights of freemen, the burthen of proving the necessity for such destruction lay upon them; and he must say, that the case which the Government had made out, was not at all satisfactory to his mind. He was bound to support Reform generally, but was free as air to exercise his judgment in all the details of the Bill. The arguments that had been used, had not convinced him that it was necessary to take their votes from the present freemen, to bestow them upon the 10*l.* householders. It had been said, there would be some inconvenience in the great numbers of freemen, but that would be more than balanced, in his mind, by the prospect of limitation of the number of electors in some places. He was further influenced by the conviction, that a large class of freemen obtained their rights by apprenticeship, and by depriving them of this, you took away the reward for industry and integrity. He would by no means consent to disfranchise any one man or his children, and he therefore considered this Amendment a great improvement of the Bill.

Mr. *Thomas Dundas* opposed the Amendment. At the last election he was asked by his constituents, whether he intended to support the rights of freemen, and was told by them not to do it if it interfered with the principle of the Bill. He thought that this Amendment did interfere with that principle. Whether his vote on this question would be gratifying to his constituents or not, he could not tell; he could only say, that it was given according to the dictates of his conscience. His hon. colleague had stated, on a former night, that there was a strong feeling among his constituents on this point; but he had not heard of their wishes regarding it being expressed, either by any public meeting or petition, or even private letter. So anxious were they for the success of the Bill, that he was certain they would not consider themselves injured by this clause, which supported their existing rights, and provided for a future uniform right of voting in all cities and boroughs in the kingdom.

Sir *Francis Blake* said, he could not approve of the Amendment, although he was desirous to extend the franchise. But, in saying this, he did not go the length of approving of the manner in which the clause was worded. He wished to see no distinction made between the children of freemen, and freemen themselves, and, therefore, recommended, that instead of children born before a certain day being considered entitled to their parents' privilege, that it should be extended to all children born from a marriage solemnized before that particular time; this, he thought, would prove more satisfactory to the ladies, who were especially interested that no distinction should exist between their children.

Mr. *Wrangham* said, the arguments used in favour of the clause were, first, that freemen were very susceptible of bribery; and secondly, that an exclusive class ought not to exist. With regard to the first, it had not been shown that bribery was confined to freemen, and it was a sorry remedy to take away a right altogether, because some of the persons interested had abused it. With respect to the second, it was a privilege of long standing, and was interwoven with all the usages of the Constitution, and on that account ought not to be abolished. The hon. member for Colchester had asserted, that there could be no objection to disfranchising resident freemen, because they would generally be in possession of the 10*l.* right of voting; but, however that might be in the place the hon. Member represented, it was not the case in the town which had sent him to that House; there were at present nearly 1,000 voters in Sudbury, about 600 of whom would be deprived of their right of voting. The clause, altogether, appeared to him to be a very great injustice, because no sufficient reason had, in his mind, been assigned for the disfranchisement of freemen.

Mr. *Chichester* said, he was instructed by his constituents to support the Amendment of the hon. member for Newcastle-under-Lyne (Mr. Edmund Peel), and he hoped, therefore, it would be pressed to a division. If the opinion of the House proved to be against them, he was confident, however, that the freemen of the place he had the honour to represent, would, after the sacrifices they had already made, resign themselves to the urgent necessity of carrying the principle of the Bill into full effect.

An *Hon. Member* begged leave to ask the noble Lord, whether freemen, absent for some time from the place of their residence, in consequence of business, or the necessity of serving in the militia, would retain their votes on their return; and whether, also, those who went abroad in the army or navy, could claim their privilege when they came back to this country?

Lord *John Russell* replied, that all persons occupying 10*l.* houses, and serving in the militia, would have the right of voting, although they might be absent from their homes. With regard to persons in the army and navy who were freemen, but not residing within seven miles of the town, they would lose the right of voting; but he begged to remind the Committee, that they would also lose it by the effect of the Amendment.

Mr. *Philip Howard* would oppose the Amendment, but, in so doing, felt it his duty, representing as he did a large body of freemen, to state the reasons which guided him in the vote he was about to give. The present clause deprived no man living of his rights—the clause which had just received the sanction of the Committee, conferred the elective franchise on modest independence—it held out the possession of political power as an incentive and reward of industry, and borne forward by feelings of honourable ambition, the sons, when raised to the rank of ten-pounders, would no less effectually discharge their volleys against the strong holds of corruption; he conceived, that the extinction of the rotten boroughs, which had entailed a ruinous system of misgovernment on the country, would amply compensate the freemen for those sacrifices which they had, with such single-minded devotion to their country's cause, made at the late election. He concurred with the hon. member for Berwick-upon-Tweed, that granting the elective franchise to the issue of all marriages solemnized previously to the passing the Act, would do away with invidious distinctions in the families of freemen, and he trusted, that Ministers would, on bringing up the Report, take this subject into their serious consideration. He thought the framers of the Bill had done wisely in continuing to freemen, within seven miles of towns, their privileges. He thought it dangerous to draw too distinct a line between the agricultural and commercial interests. It was on that principle that he had voted that freeholders of towns should retain their votes for the county Representation, convinced that, by blending, by amalgamating in some degree, the constituencies of town and county, that collision between the two great interests might be avoided, which every well-wisher to his country must deprecate as deeply detrimental to the well-being and security of the empire at large.

Mr. *Trevor* observed, that all their opponents had praised the freemen, but, at the same time, desired to deprive them of the power of transmitting their fair and equitable rights to be enjoyed by their descendants. The hon. member for Carlisle eulogized freemen for good conduct, but declared that he meant to vote against them. He considered the disfranchisement of non-resident freemen one of the most unjust provisions of the Bill. He should certainly support the Amendment of the hon. Member for Newcastle, as he considered the freemen a most injured body of men.

Mr. *Cutlar Fergusson* said, he should oppose the Amendment, which he conceived no Member who had voted for the second reading of the Bill could support, consistently with the recognition of the principle on which Government was acting. Ministers had gone a great way in consideration of what was due to existing rights, and he thought that they would not be justified in going a single step further.

Colonel *Sibthorp* thought, that the Attorney General had uttered a most unwarrantable libel on the non-resident freemen. And he was determined to support the rights of resident and non-resident freemen.

Mr. *Philip Howard* said, the hon. Member could not support the claim of non-resident freemen on the score of ancient right, for they were not allowed to vote by statutes passed in the reign of Henry 6th and Henry 8th, and were only admitted to vote in 1774.

Mr. Alderman *Waithman* could assure the Committee that he was not going to take up their time. When he heard it stated over and over again by the hon. and learned member for Boroughbridge, that the Livery of London was becoming unfavourable to the Bill, he felt himself bound to give that assertion a flat contradiction. It had been stated at least twenty times, that there was an altered feeling among the people on the Reform Bill, and the hon. and learned Member had said, the feelings of the citizens of London were altered; so much so, that they were unable to get up a Reform meeting. He certainly received as much information with respect to the city of London as the hon. and learned Gentleman, and he could assure the House there was no foundation for the assertion. There had been no attempt to get up a meeting, and the only dissatisfaction felt amongst the citizens was that occasioned by procrastination in the House of Commons.

Mr. *Cresset Pelham* expressed his abhorrence of the Bill, on account of its being an infraction of the Constitution as settled by Magna Charta.

The Committee divided on the Amendment: Ayes 131: Noes 210—Majority 79.

List of the NOES.

Acheson, Viscount
Anson, Hon. G.
Astley, Sir J.
Atherley, A.
Bainbridge, E. T.
Baring, Sir T.
Baring, F. T.
Bentinck, Lord G.
Berkeley, Captain
Biddulph, R. M.
Blackney, W.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Bodkin, J. J.
Bourke, Sir J.
Boyle, Hon. J.
Brabazon, Viscount
Briscoe, J. I.
Brougham, J.
Brougham, W.
Brown, J. D.
Bulwer, E. L.
Byng, G.
Calvert, N.
Callaghan, D.
Campbell, J.
Carter, J. B.
Cavendish, H. F. C.
Chapman, M. L.
Chichester, Sir A.
Cradock, Sheldon
Crampton, P. C.
Clive, E. B.
Creevey, T.
Currie, J.
Curteis, H. B.
Denman, Sir T.
Dixon, J.
Doyle, Sir J. M.
Duncombe, T. S.
Dundas, C.
Dundas, Hon. T.
Dundas, Hn. Sir R. L.
Dundas, Hon. J. C.
Easthope, J.
Ellice, E.
Ellis, W.
Etwall, R.
Evans, W. B.
Evans, W.
Ewart, W.
Fellowes, H. A. W.
Fergusson, Sir R.
Fergusson, R.
Fergusson, R. C.
Foley, Hon. T. H.
Folkes, Sir W.
Fox, Lieut. Colonel
Gilbert, D.
Gillon, W. D.
Gordon, R.
Graham, Sir J. R. G.
Grant, Right Hon. C.
Grant, Right Hon. R.
Grattan, J.
Grattan, H.
Grosvenor, Hon. R.
Handley, W. F.
Harvey, D. W.
Hawkins, J. H.
Heywood, B.
Hill, Lord A.
Hill, Lord G.
Hodges, T. L.
Horne, Sir W.
Host, Sir J.
Hoskins, K.
Howard, P. H.
Howard, J.
Howick, Viscount
Hudson, T.

Hume, J.
Ingilby, Sir W.
James, W.
Jeffrey, Rt. Hon. F.
Jephson, C. D. O.
Jerningham, Hon. H.
Johnston, A.
Johnstone, Sir J. V.
Johnstone, J. J. H.
Kemp, T. R.
Kennedy, T. F.
Killeen, Lord
King, E. B.
King, Hon. R.
Knight, R.
Knox, Hon. Colonel
Lamb, Hon. G.
Lambert, H.
Lambert, J. S.
Langston, J. H.
Langton, Colonel G.
Lawley, F.
Leader, N. P.
Lefevre, C. S.
Lennard, T. B.
Lennox, Lord J. G.
Lennox, Lord W.
Littleton, E. J.
Loch, J.
Lushington, Dr.
Maberly, Colonel
Maberly, J.
Macaulay, T. B.
Macdonald, Sir J.
Macnamara, W.
Mackenzie, S.
Mangles, J.
Marshall, W.
Martin, J.
Maule, Hon. W. R.
Mildmay, P. St. J.
Mullins, F.
Musgrave, Sir R.
Newport, Sir J.
Norton, C. F.
Nowell, A.
Nugent, Lord
O'Connell, D.
O'Connell, M.
O'Ferrall, R. M.
Ord, W.
Osborne, Lord, F. G.
Ossory, Earl of
Paget, T.
Payne, Sir P.
Palmerston, Viscount
Pendarvis, E. W. W.
Penlease, J. S.
Penrhyn, E.
Pepys, C. C.
Petit, L. H.
Philips, G. R.
Philipps, Sir G.
Ponsonby, Hon. G.
Ponsonby, Hon. W.
Power, R.
Poyntz, W. S.
Protheroe, E.
Rickford, W.
Robinson, Sir G.
Rooper, J. B.
Ross, Horatio
Russell, Lord J.
Russell, R. G.
Russell, C.
Ruthven, E. S.
Sanford, E. A.
Scott, Sir E. D.
Sinclair, G.
Skipwith, Sir G.
Smith, J. A.
Smith, J.
Smith, R. V.
Smith, Hon. R.
Smith, G. R.
Spencer, Hon. Capt.
Stanhope, Captain
Stanley, Rt. Hn. E.G.
Stanley, Lord
Stewart, P. M.
Stewart, E.
Stewart, Sir M. S.
Strickland, G.
Strutt, E.
Stuart, Lord D. S.
Sheil, R. L.
Tennyson, C.
Thicknesse, R.
Thompson, W.
Thomson, Rt. Hon. C.
Throckmorton, R. G.
Torrens, Colonel
Townshend, Lord C.
Traill, G.
Troubridge, Sir E.
Tynte, C. K. V.
Tyrell, C.
Villiers, T. H.
Venables, Ald.
Vernon, Hon. G. J.
Vernon, G. H.
Vincent, Sir F.
Walker, C. A.
Waithman, Ald.
Warburton, H.
Wason, W. R.
Wellesley, Hn. W. T. L.
Whitbread, W. H.
Whitmore, W. W.
Wilde, T.
Wilks, J.
Williams, J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Alderman
Wood, J.
Wood, C.
Wrightson, W. B.
Wrottesley, Sir S.
Wynn, Rt. Hon. C. W.
Wynn, Sir W. W.
Wyse, T.

TELLER.

Rice, Hon. T. S.

The Chairman then proceeded to read "Provided also that every person now having a right to vote in any election for any city or borough, in virtue of any corporate right, and every child of a freeman, such child being born previously to the passing of this Act, and every apprentice bound to any freeman previously to the passing of this Act, which child or apprentice would have been entitled to vote in such election if this Act had not been passed, shall respectively retain, acquire, and enjoy such right of voting during their respective lives, and shall be entitled to vote if duly registered according to the provisions, hereinafter contained."

Mr. *Wilks* stated, that in some places a custom prevailed, whereby a female, if the daughter or widow of a freeman, had the power of conferring the franchise on her husband. Bristol and Exeter were in this situation. Such rights, according to analogy of principle, ought to be equally respected, and he should therefore move the insertion of a sentence extending the provisions of the clause to those who, previous to the passing of this Act, had married the wife or daughter of a freeman, and thereby acquired a right of franchise. The hon. Member accordingly moved as an Amendment that, "Every person who shall hereafter marry the widow or daughter of a freeman in any city or borough, where the right of becoming a burgess or freeman, and of voting in the election for such city or borough is acquired by marriage, such widows or daughters having been born previous to the passing of this Act, shall" &c.

The *Attorney-General* said, he had no objection to the introduction of the words proposed, but he rather imagined that the custom alluded to, only applied to a widow's first and second husband, and did not extend to her third or fourth.

Mr. *Lennard* was happy that Government intended to sanction the Amendment of the hon. member for Boston, as he knew many cases in which the Bill would have otherwise operated as a hardship.

Mr. *Croker* said, there could be no objection to the proposed Amendment, but still he could not consider it quite fair, that the widow of a freeman could transfer her right to a stranger whom she might again marry after the decease of her husband.

Amendment agreed to.

The following part of the clause was then put, "But that no person now having, or hereafter acquiring his freedom as aforesaid, shall be registered in the present or any succeeding year, unless he shall have resided for six calendar months next previous to the first day of November in the present year, or next previous to the last day of August in each respective succeeding year, within such city or borough, or within seven statute miles of the place at which the election for such city or borough has been usually holden, or in the case of places named in the first column of schedule F, to this Act annexed, within seven statute miles of any of the said places respectively."

Mr. *Trevor* rose to move, that the right of voting should be continued to non-resident freemen for the term of their lives. The hon. Member said, that he had pledged himself to his constituents, on the hustings at Durham, to bring forward this Motion. He was at a loss to conceive how 10*l.* householders could be more free from the influence of bribery than independent non-resident freemen. He admitted, that there was an expense attending the conveyance of non-resident electors, who must be brought to vote at the cost of the candidate; but he hoped that, from the measures adopted by his Majesty's Ministers to obviate abuses from this source, a plea of this kind would no longer be possessed of any weight. If there was any class more injuriously and cruelly treated than another in this Bill, it was that class denominated freemen. The people had not been fully alive to the evils of the Bill; when the appeal was made to them, they were in an extraordinary state of excitement and agitation, and gave their attention only to the A B C part of the Bill. If their attention had been more carefully directed to it, they would have been less eager for it in its present state. When this Bill was first introduced, it was intended to disfranchise the existing race of freemen. A clause was also prepared, to bring the freemen within certain limits, and all who did not reside within those limits were to be excluded. To those persons, consisting of freemen within cities and boroughs, he wished to secure their privilege, in order that it might be enjoyed by themselves and their posterity, provided they continued within the city or county. When he saw the cause of the ladies was so successful, he had hopes that non-resident voters would have the consideration of the Committee. What had the non-resident voters done to be excluded? [*Question.*] The observations he made might be irksome to the Committee, but he had a duty to perform to his constituents, which he could not compromise. If the clause was adopted without his Amendment, the city of Durham, which contained 1,200 freemen, would not have more than 500. It was his intention to take the sense of the House upon his Amendment, and convince his constituents that he had redeemed his pledge. The hon. Member concluded by moving to insert his Amendment, after line twenty-four in clause 22.

Lord *John Russell* said, it was sufficient for him to observe, that the hon. Member had admitted that non-resident voters must be brought to the poll at the expense of the candidates.

Mr. *Croker* said, there had, no doubt, been great abuses respecting non-resident voters in certain places, but it was melancholy that in the few boroughs to be retained, the constituencies could not be completed without their disfranchisement.

The Committee divided on the Amendment: Ayes 38—Noes 151; Majority 113.

List of the AYES.

Arbuthnot, Hon H.
Ashley, Lord
Beresford, M.
Boldero, H. G.
Churchill, Lord C.
Clerk, Sir G.
Clinton, F.
Davidson, D.
Dick, Q.
Douglas, C.
Estcourt, T.
Fitzroy, Captain
Forbes, Sir C.
Freshfield, J. W.
Gordon, James
Goulburn, H.
Hodgson, J.
Hodgson. F.
Hughes, H.
Inglis, Sir R. H.
Lefroy, Mr.
Loughborough, Lord
Lovaine, Lord
Lowther, Sir J.
Maitland, Lord
Maitland, Captain
Maxwell, H.
Miller, W. H.
Murray, Sir G.
Pemberton, T.
Ryder, Hon. G.
Sadler, M. T.
Sibthorp, Colonel
Trevor, Hon. A.
Vyvyan, Sir R.
Wetherell, Sir C.
Williams, T.
Wrangham, D. C.

On the question, that seven statute miles stand part of the clause,

Mr. *Greene* said, the wording of the clause might perhaps exclude persons who resided in the parish of a borough or city, but at a greater distance than seven miles; he begged, therefore, to suggest the propriety of inserting words to this effect, "in a town or parish any portion of which is within seven miles of the borough."

Mr. *North* recommended, that it should be measured in a straight line from the place of election, and not by either pathways or turnpike-roads.

Mr. *Trevor* moved to leave out "seven miles," for the purpose of introducing "residing within the county in which such borough or city is situated."

Lord *John Russell* said, he could by no means consent to the hon Gentleman's suggestion, because it would in many cases, extend the distance much beyond the space contemplated.

An *Hon. Member* inquired, how the distance of seven miles was to be measured, if by the high-road, or any nearer way.

Lord *John Russell* replied, that the usual legal method would be followed, which was, to compute the distance by the nearest high-road.

Colonel *Sibthorp* said, this Amendment, if carried, would place them in rather an awkward situation. He did not think he could agree to it, consistent with the other votes he had given, as it would admit all non-residents to the right of voting.

Mr. *Hodgson* felt the same difficulty. He was desirous to preserve the rights of non-residents, but great difficulties must accrue if such an Amendment was carried.

Mr. *Trevor* said, after the observations of the hon. Members, he should not press his motion.

Amendment withdrawn.

Mr. *Edward B. King* said, this part of the clause would bear hardly on individuals who voted at the late election, in places where the right of voting was in the rated inhabitants. In Warwick, for instance, which he represented, many were prevented from polling by errors or informalities in the rate, and though such persons immediately had the mistakes rectified, they were not good voters until the expiration of six months. If this Bill passed before that time, they would lose their franchise for ever, unless they happened to be 10*l.* householders.—Several of his constituents were so situated, some of whom voted at former elections for that very property for which they now claimed a right, and if this Bill did not pass, would have good votes in three months' time. He was friendly to the Bill in general, although he regretted the alteration it made in the right of voting in the scot-and-lot boroughs. The rated inhabitants in the county towns, who would eventually lose their franchise, were of the same class as the 10*l.* householders to be enfranchised in large towns; yet, as rents were lower in the old boroughs, many would lose their franchise. The numbers of electors would be greatly reduced, and by that means nomination would again rear its head, which it was the professed object of this Bill to put down.

The *Attorney General* admitted, that this was undoubtedly a defect in the Bill, and it had been the wish of Ministers to apply a remedy, but as it could only be done by bringing before the Assistant Barrister every case of assessment, the mass of inquiry would be much more than could be dealt with, and they were, therefore, compelled to let the clause remain as at present.

Mr. Poyntz moved as an Amendment, that the following words be introduced: "And any minor, in whom any freehold tenement is now, or may be hereafter invested, such Minor being born previous to this Act, and who, on attaining the age of twenty-one years, would have been entitled to vote if this Act had not passed, shall have the right of voting, in virtue of such freehold."

Lord *John Russell* said, he had not had an opportunity of inquiring into the effect which this Amendment would probably have, and therefore he requested the hon. Member would withdraw it, and Ministers would take it into their most serious consideration. The hon. Member must, however, be aware, that a very considerable difference existed between minors the sons of freemen, and minors possessing freeholds.

Amendment withdrawn.

Lord *Dudley Stuart* said, as the clause was now worded, it seemed that the scot-and-lot voters, who pay their poor-rates, were to be permitted to retain their right of voting. Under the existing law, that right had been suspended when the voters themselves had sunk into pauperism, but was again revived whenever their condition was improved, so that they contributed to the rate. What he wished, therefore, to understand was, whether, by this clause, if a man had once received relief from the poor-rates, he was thereby, for ever after, incapacitated from voting, however prosperous his condition might become. He understood the Bill was to preserve existing privileges, and he therefore desired a distinct answer to this point.

Lord *John Russell* said, that it was certainly their intention that voters of this class should not again obtain their right of voting after they had once become disqualified.

Lord *Dudley Stuart* begged to know how long it would be necessary that a voter should have been qualified to give him the privilege of polling.

Lord *John Russell:* Whatever day the registration may take place previous to an election, upon that day the elector must be qualified.

Mr. Rumbold moved, "That all non-resident freemen at present exercising an elective franchise in places not named in schedules A and B, shall be permitted to vote, by virtue of their present corporate right, for Members of Parliament, in those cities and boroughs where they are resident."

Lord *John Russell* hoped the hon. Member would not persist in an Amendment, the operation of which would be so extremely inconvenient. It would hardly be fair, if he lost his vote for Bedford, that therefore he should claim a vote for Westminster, merely because he had once been free of the former place.

Colonel *Anson* approved of the Amendment of his hon. colleague, and thought the non-resident voters had many claims to consideration, as they had made no objections to the sacrifice required of them; but they wished, in giving up their valuable privilege, to be allowed to register themselves to vote for the nearest borough to the place of their domicile. The great objection to this was, as urged by his noble friend, that, in many large places the constituency would thereby be amazingly increased. This objection he saw no chance of overcoming; therefore, to prevent any delay in the Bill itself, he recommended his hon. colleague to withdraw his Amendment.

Mr. *Rumbold* proposed his Amendment as a compensation to the persons whose franchise had been sacrificed, and who, in general, exercised it most worthily; but, as he saw he had no chance of carrying it, although he was still convinced it was founded on justice, he would consent to withdraw it.

Amendment withdrawn.

On the Chairman proposing the last part of the clause, rendering it imperative on every person claiming to vote under it, that he shall have "owned, occupied, or inhabited," in the city or borough for which he sets up, the right of voting for six calendar months, in default of which owning, occupying, or inhabiting, he shall not be entitled to be registered,

Mr. *Freshfield* said, the effect of these words would be, that a man who had complied with all the necessary forms and customs to constitute him an elector for a city or borough, would forfeit his rights, unless he had "owned, occupied, or inhabited" for six calendar months. If the custom in any city or borough was, that a person should exercise the right of voting after being forty days a resident, he lost that right by this Bill requiring a residence of six months.

Lord *John Russell* said, that though it might be a hardship on some particular boroughs, he still thought, that as a general arrangement it would be desirable: it did not apply to freeholders, but only to scot-and-lot voters.

The Chairman then put the question, "That the clause, as then amended, stand part of the Bill."—Agreed to.

The House resumed. The Committee to sit again on Thursday.

HOUSE OF LORDS,

Wednesday, August 31, 1831.

MINUTES.] Bills Read a third time. The Duchess of Kent's Annuity; committed the Pluralities in the Church.

HOUSE OF COMMONS,

Wednesday, August 31, 1831.

MINUTES.] Petitions presented. By Mr. BLACKNEY, from the Inhabitants of the Parishes of Dernleckny, Augha, Sligoff, and Lorum, against any further Grant to the Kildare Street Society; and from the united Parishes of Dearleckny and Ballenkillen, for disarming the Yeomanry.

GRANT TO MAYNOOTH COLLEGE.] Sir *Robert Inglis* said, that he had to present a Petition, signed by 780 Protestants of Ireland, against the Grant to the Roman Catholic College of Maynooth. The petitioners stated, that the College had been instituted to accomplish certain objects, but that the experiment had entirely failed. One of these objects was, by educating respectable men for the priesthood, at home, to prevent them from coming within the scope of foreign influence, which might cause them to entertain feelings hostile to the institutions of the country. This, however, had not been effected. The individuals brought up at the College being only persons of inferior rank. The petitioners deprecated the system of bringing up the lowest of the people to the clerical profession; and that such was the case at Maynooth, they proved from the highest authority—that of a report which had been laid on the Table of the House. From that report it appeared, that of 205 individuals in the College, six were the sons of merchants, one of an apothecary, and one of an architect; while the remaining 197 were the sons of farmers, graziers, grocers, &c. They stated, that the clergy, who had been educated abroad in former times, such as Father O'Leary, Dr. Butler, the present Roman Catholic Archbishop of Cashel, and other eminent men, were greatly superior to those who had been reared at Maynooth, and that the two ablest Roman Catholic clergymen of the present day, Dr. Doyle and Dr. Curtis, were both educated abroad. They further alleged, that, at Maynooth, the students were brought up in a decided hostility to the dispensation of the Bible generally, and that no Bible except their own translation, known as the Douay Bible, was allowed, the cheapest edition of which Bible cost 18*s*. The petitioners felt, that they ought not to be called on to support the promulgation of a religion which was erroneous and idolatrous, and though some objections had been made to so speaking of the Roman Catholic religion, he could not consider it as improper, when he recollected that such language had always been applied to the Catholic Religion, till very lately, in that House. In 1812, when it was proposed to reduce this grant, Mr. Perceval stated, that if it were then to be first granted, he should be disposed to resist the grant altogether; but considering it a grant made over by the Parliament of Ireland to the Parliament of the United Kingdom, he would not propose to abolish it. The reduction at that time was resisted, because the grant was one that was recognized at the time of the Union; but when reductions were made with respect to wide streets, and a variety of other items, which existed at the period of the Union, he could not conceive that such a plea was available with respect to this institution.

Mr. *O'Connell* denied the truth of the assertion, that Maynooth had not produced as able men as any of those who had been educated abroad. In support of his position, he need only refer to the right rev. Dr. M'Cabe, whose acquirements in theology, in philosophy, in science, and in classics, might challenge competition. The petitioners, it appeared, complained that this college had not succeeded. Now he would tell them, that it had succeeded to the full extent which the Roman Catholics of Ireland, the parties most interested, wished and desired. He contended that the Roman Catholics desired to read, and did read, the Scriptures, but they objected to making them a school-book. When fault was found with the doctrinal parts of the Roman Catholic religion, the charge came with a very ill grace from the hon. Baronet, who must know the nature of the thirty-nine Articles, and must also know, that every man, before he became a minister of the Protestant Church, must subscribe to those Articles. The petitioners were unwilling, they said, to support an erroneous religion. Now he would make a bargain with the hon. Baronet, and if he would agree that the Roman Catholic should be exempted from supporting the Protestant Church in Ireland, he was quite certain that the former would give up every claim on the Protestants for the support of Maynooth, or any other Catholic institution. By such an arrangement, the Irish Roman Catholics would be saved annually 1,500,000*l.*, which was paid to the Protestant clergy. The Roman Catholics were called idolaters. He indignantly repelled the assertion. They were not idolaters. They worshipped the living God, and the living God only! Sooner than worship aught else they would expire at the stake. If Protestants thought that they were mistaken in their religious opinion, oh! let them be Christians enough to say that the Catholics were in error—do not brand them as idolaters. If justice were done to the Irish Roman Catholics, they would not need any assistance of this kind. If, instead of being expended on building Buckingham Palace, the 123,000*l.* which had been recovered from France on account of the destruction of Irish establishments there, and the confiscation of property bequeathed for religious purposes, by the ancestors of the present race of Irish Catholics; if, instead of having been laid out in the manner he had mentioned, that sum had been handed over to its rightful owners, the Roman Catholics would not have needed a grant for Maynooth. His family had at one time thirty-six burses in Paris, and they yet had four; and he repeated, if the money to which he had alluded had been properly distributed, there would have been no necessity for a grant of this nature. He was sorry, at this time of day, to see the hon. Baronet presenting such a petition as this, imputing to the Roman Catholics doctrines which they disclaimed, and principles which they detested. If any individual of his faith rose in that House, and pointed out as heretics his Protestant fellow-subjects, he could tell the hon. Baronet that no man would meet such an aspersion with more honest indignation than he would. Had he not, then, a right to expect similar forbearance towards those who were of his creed? Polemics had been too long indulged in; and it was time that they should give way to feelings of Christian benevolence and charity.

Lord *Killeen* denied, that the great body of Roman Catholics were adverse to the diffusion of the Scriptures, although they did not approve of them as a school-book. He, as one of the trustees and visitors of Maynooth college, would assert, that it had produced men of high character and attainments. At present there were seventeen Roman Catholic Bishops who had been educated there; they were brought up in the most liberal manner, and were at all times anxious to suppress riots and disorders, and encourage tranquillity and obedience to the law.

Mr. *Hume* said, one of the complaints contained in this petition was, that persons of low birth were educated at Maynooth; but how stood the case in England? Had not every individual, whether his birth were the highest or the lowest, an opportunity of attaching himself to the Protestant Church? Who were they, he would ask, that served in the Scotch Church? Were they not taken from those very classes on whom the petitioners were now casting a gross aspersion? Were they not the sons of farmers, of grocers, and, if they pleased, of graziers? It was so, and yet he would put these pastors, for a correct discharge of their duties, in competition with the sons of those elevated nobles and high dignitaries who were brought up for the Church of England. The manner in which the duty of the parish priest in Ireland, and of the minister in Scotland, was performed, might put to shame many of the English clergy, when the labours of each were considered. It was, he contended, a most unfair reflection to suppose that men could not perform their duties unless they were of high birth. The Roman Catholics had been called idolaters, and on that account it was alleged that this grant should cease. Why, Indo-Britain contained millions of idolaters; and we supported the idolatry the Hindoos and of other sects. The English had a college to support and perpetuate what, in their view was idolatry. Should they, then, support the Hindoo and the Mussulman, and yet refuse assistance to the Roman Catholic on the gross plea that he was an idolater? He regretted to see a petition of this kind presented by any Gentleman, but more particularly by a Representative of one of the Universities, where liberality ought to prevail. But, unfortunately, with some few exceptions, the Universities were the hot-beds of every thing contracted and illiberal.

Mr. *Spring Rice* wished the consideration of the matter contained in this petition to be postponed, until, in the course of the evening, he came to the vote to which it related, when Gentlemen would have the opportunity of delivering their opinions. As an Irish Protestant, and as strong a friend to the Protestant Church as any man, he should be prepared, when the proper time came, to contravene all that was alleged against the grant, and to defend the vote that would be proposed for the College. The motives of those who were appointed to visit the College were above suspicion. Their last report had been called for, and would be laid before the House; and he believed, that the statements contained in that Report would afford a better defence for this grant than anything that he could offer. The establishment at Maynooth was endowed by Parliament—it was under the superintendence of visitors appointed by Parliament. Now, what would the consequence be if the grant were withdrawn, and the jurisdiction over it, which he had described, were also put an end to? Why, the Roman Catholics would support it by subscription: and surely, if danger was to be apprehended from it as it was now conducted (which he denied), that danger would become infinitely greater when it was entirely upheld by an indignant people. The Parliament had endowed and encouraged at Belfast, and in other parts of the north of Ireland, institutions for the education of Presbyterian clergymen. Was it not equally wise that some provision should be made for the education of the Catholic priesthood of Ireland? He knew the priesthood of Ireland better than the hon. Baronet, and he must say, that many most learned and most liberal men—men strongly attached to the institutions of this country—were to be found amongst those who had been educated at the College of Maynooth; many men, too, he would add, who had been introduced into the priesthood from the most humble classes. He would only add, that the education of a priest could not be obtained on lower terms at Maynooth than at the Colleges abroad.

Mr. *Henry Grattan* said, that the grossest ignorance and arrogance pervaded this petition, which came from members of Orange Lodges, and other violent persons, some of whom had been tried for their lives, and several of whom had been in gaol. It was anything but a fair or respectable petition. It was hawked about the country to Armagh, to Monaghan, to Fermanagh, to Dublin, to the Marshalsea prison of Dublin, and to the Corporation of Dublin; and thus the projectors of the petition had scraped together a number of signatures. The fourth clause in that petition was a base invention. It was not a doctrine held in Maynooth College, that the Scriptures should not be read. He grieved to see the hon. Baronet, at this time, assisting in raking up the expiring embers of religious dissension, and fanning them into a flame. The hon. Baronet might yet live to repent that he had contributed to scatter the firebrand of religious discord through Ireland. There was no Roman Catholic but must feel resentment at such aspersions; and he, as one who was connected with Roman Catholics, repelled such imputation with indignation. The late Mr. Grattan said, in 1795, at the time when this institution was formed, that the measure would turn Ireland from France and give her to England. And what now appeared to be the petitioners' proposition? That the clergy should not be educated in France—that they should not be educated in Ireland—that they should not be educated at all! If the hon. Baronet and the petitioners wished to separate the two countries, they could not take a better course than that of giving currency to statements that were false, unfounded, untrue, and unjust. It was not to be expected that Ireland would continue united with England if it was to be so treated. Lord Chatham had said, that his Majesty's subjects were one people, and that whoever attempted to divide them was the author of sedition. He did not impute such a feeling to the hon. Baronet, but he was convinced that those who signed this petition had sedition in their hearts.

Sir *Robert Inglis* said, he was not responsible for the character of the gentlemen who signed the petition. He did not know one of them; but he had been asked to present the petition, and he deemed it to be his duty to comply with the request. There was a higher authority than any in that House against taking the priests from the lowest classes of the people. With respect to the assertion of the hon. and learned member for Kerry, that the Catholics of Ireland paid 1,500,000*l.* to the Protestant Church, that he must deny. They paid tithes and church-rates, as owners and occupiers of land, and it was no matter whether the land was in possession of Catholics or Protestants, it was subject to those charges.

Mr. *O'Connell* said, that if the hon. Baronet would read the signatures, he would know some of them. Among them appeared the names of the rev. Perceval Magee and his curate. The very rev. the Archdeacon, who received so large an income for doing nothing, thought he was performing his duty in putting his name to that petition, in order to calumniate the people by whom he was paid. The hon. Baronet complained that the Roman Catholic clergy of Ireland were the sons of persons in humble life, and said he had a high authority against that practice. He must say, for his part, that he had read the Bible, but he found nothing in that book rendering it obligatory on clergymen to ride in coaches. Those who first propagated Christianity were persons in humble life, and he could not imagine lowliness of birth any impediment to the faithful and zealous discharge of clerical duties. Men of the first information and talents amongst the priesthood were the sons of poor parents; such persons had a proper sympathy for their flocks, and he could tell the hon. Baronet, that the progress of pestilence and famine might be traced in Ireland by the deaths of the Catholic curates, who curtailed their own incomes, to minister to the wants of their people, and encountered disease by not being, like some other clergy, above visiting the abode of the poor and distressed.

Petition to be printed.

NEWTONBARRY AFFRAY (IRELAND).] Mr. *Lambert*, on a Petition being presented for the disarming of the Irish Yeomanry, called the attention of the House to a statement he had made relative to the affair at Newtownbarry, which had been contradicted by the right hon. the Secretary for Ireland, upon the testimony of the rev. Mr. Walsh. He had received a letter from that gentleman, which corroborated his former statement, and he could not help complaining of the right hon. Gentleman, who had been so ready to describe his statement as an Irish exaggeration. From the circumstances which took place at Newtownbarry, he thought the Government ought to allow the Yeomanry to go into disuse.

Mr. *Maxwell* said, that the witnesses who had been examined by Major Bushe, who had been sent down by order of Government to inquire into the matter, had denied that any shots had been fired. It had been stated that a woman had been ripped open. He did not believe that any such thing had occurred: if such an atrocious act had been perpetrated, and the Government had received any report that such had been the case, they ought to communicate it to the House. The trials at Newtownbarry were yet undecided, and he hoped that the hon. Member (Mr. Lambert) who had expressed an opinion on the case, would not be on the Grand Jury at the next Assizes.

Mr. *Blackney* was unwilling to prolong the discussion on this unhappy affair; his object in rising was to assure the House, and the hon. Member opposite, that the circumstance related of the unfortunate woman who lost her life at Newtownbarry was perfectly true. He had it from authority which he could not doubt.

Mr. *Walker* had also received a letter from Mr. Walsh. That gentleman stated to Major Bushe, that a shot had been fired, but he left it to that gentleman to draw his own inferences whether or not it was intended as an insult to his congregation. Mr. Walsh could not dive into the hearts of other persons to discover their intentions. He confirmed the statement of Mr. Lambert, that the woman had been shot through the womb by a Yeoman, and that the child, of which she was pregnant, was also killed. He hoped both the hon. member for Galway and himself would be on the Grand Jury at the next Assizes. Having expressed an opinion on the subject, he should be sorry to be on the Petit Jury, which would have to decide on the merits of the case.

Mr. *Crampton* remarked, that the whole question was in course of judicial inquiry. The moment Government were apprized of the fact, they employed a professional gentleman of the highest character, and of the utmost impartiality (Mr. Green) to examine into all the circumstances, and to make his report. He must object, therefore, to discussions of this kind, the effect of which must be to prejudice the case of the policeman, against whom a bill for manslaughter had been found, in the case particularly alluded to. There was no ground for apprehending, that public justice would not be satisfied, and that end being attained, he thought that no complaint could be reasonably made.

Mr. *O'Connell* contended, that public justice would not be done by trying the policeman on a bill charging him only with manslaughter: either he had been guilty of murder or of nothing.

Mr. *Crampton* called the hon. and learned Gentleman to order. The present discussion was trying the policeman by anticipation.

Mr. *O'Connell* said, the result of a prosecution for manslaughter would not satisfy the people of Ireland in such a case. The Government should have disarmed the Yeomanry; and he might fairly state, that no Government but the present would ever have suffered them to retain their arms after such an occurrence. Under the Government of Lord Liverpool, when some of the people were killed by the Yeomanry at Straby, the Yeomanry were deprived of their arms; and the present Government should have adopted the same course, after they had admitted the fact that there was no occasion whatever for calling out the Yeomanry at Newtownbarry. He was sorry to say, however, that the present Government was desirous of throwing its shield over those who committed outrages upon the people of Ireland. Their feelings towards the people of that country might be gathered from the fact, that they had appointed twenty-one stipendiary Magistrates in that country, not one of whom was a Catholic.

Mr. *Stanley* affirmed, that the testimony was so contradictory as to the conduct of the Yeomanry, that the question could not come fairly before the House until after the case should have been investigated by the ordinary tribunals. There was no point so doubtful as, whether the Captain of the Yeomanry directed the men to fire, or whether they fired without orders; and, under such circumstances, the House was not in a condition to form a proper judgment on the matter.

Mr. *O'Connell* stated, that the soldiers alleged that they were ordered to fire, while the Captain said, that he had given no such orders. This was sufficient to warrant him in asking if such a corps ought to be continued in existence? No matter what might be the result of the judicial investigation, there was, at all events, ample reason for breaking that corps of Yeomanry, and the late Government would never have allowed it to exist after such an occurrence.

Mr. *Stanley* said, that the evidence he alluded to was not that of either Captain or men, but of witnesses, disinterested and unconnected with either.

Mr. *O'Connell* begged to ask the right hon. Gentleman, if the Captain and men were agreed in their account of this transaction? All he knew of this affair was what he had learned from the newspapers, and from the reporters who attended at the Inquest, whom he knew. They stated, that the soldiers said they were ordered to fire, but that the Captain said they were not so ordered. If they were not agreed in this matter, how could the Government say, that the subjects of his Majesty in Ireland were protected, while arms were left in the hands of such men?

Mr. *Henry Grattan* said, that nothing could be more monstrous than the conduct of individuals connected with those Yeomanry corps in that part of Ireland in which this transaction had occurred. The fact was, that things had come to that pass, that his Majesty's Government must give protection to the people there, or they must protect themselves. In the parish of Rathdrum, the Orangemen had compelled his tenants to pass under an Orange arch which was suspended across the street of the village; and when the parish priest came up, on his way to the chapel, an Orangeman shook his fist at him, and fired a pistol so close to him as to burn his face. That was one of the insults which had been offered to the people, of which the people complained, and which had been denied by the hon. defenders of the Orange Yeomanry of Ireland in that House. The real truth was, that things had arrived at that pass, that the Government of the country must put down those factious disturbers of the public peace, or they would put down the Government.

Mr. *Lambert* said, that reference had been made to his statement the other evening, relative to the ripping open of the abdomen of a pregnant woman in Newtownbarry. It was most painfully distressing to him as a man, and as a Member of that House, to have such a statement to make, but he should not have felt, that he discharged his duty, if he had not laid it before the House. He would not retract a word of that statement, but, in confirmation of it, he would beg to read to the House the following extract of a letter which he had received from a highly respectable gentleman in the county of Wexford on the subject:—"I have just seen a person who saw the body of the poor woman, Mary Mullony, the mother of six children. A horrid sight! The ball passed through her, and ripped her belly across. She was within six weeks of her confinement, and the child's head and body were seen protruding through the wound. This numbers saw, who can testify it on oath."

Mr. *Hume* said, that the time had unquestionably arrived, when it was incumbent on his Majesty's Government to institute an inquiry into this most melancholy transaction, in order to ascertain the real facts of the case, and to satisfy the just expectations of the people of Ireland. Hon. Gentlemen were grossly mistaken, if they supposed that the people of Ireland would be satisfied unless a proper inquiry were instituted into a transaction in which seventeen persons had been put to death by a corps of Yeomanry, not a single individual of which had been as yet punished for the perpetration of the crime. They were greatly mistaken if they supposed, that the people of Ireland did not look upon this matter in a serious point of view. The time of the House would be taken up, and Irish Members would be justified in taking it up, night after night, on this subject, until a proper investigation was instituted by Government into the whole transaction.

Mr. *Stanley* said, that if the hon. Gentleman meant that the time was come when his Majesty's Government should take that into their hands which was still before the ordinary tribunals of the country, and upon which those tribunals had not as yet pronounced, he must beg to say, that the time was not come for such a course of proceeding on the part of his Majesty's Government. In a transaction which involved much party-feeling on the one side and the other, the Government had acted with rigid impartiality. They sent down an Officer to inquire into the transaction. After the Coroner's inquest had been held, the Government undertook to conduct the prosecution according to the verdict of the Jury; and when the private parties to that prosecution refused to proceed with it, the Government still persevered. The Government were still determined to bring the matter which was at present pending, according to the verdict of the Jury, before the legal tribunals of the country at the first opportunity. Again, when a statement was made in that House by the hon. member for Wexford, that the Orange party had offered insults to those individuals who were engaged in celebrating the last obsequies of those who had been killed in that melancholy transaction, Government sent down an Officer to institute an investigation into that matter. The hon. member for Wexford when he made that statement, no doubt made it in perfect sincerity, but it now appeared from the Letter of the reverend Clergyman to which he had referred, that it was not altogether borne out by the facts. The reverend writer said, that the statement of the hon. Member was highly coloured, but that there was foundation for the substance of it, and that it was a statement which was excusable on the part of an orator. Such was the statement of this Clergyman in his Letter to the hon. Member. It might be excusable in an orator to make such a statement, but the House would see, that it was not one upon which the Government would be justified in founding any proceedings. The only anxiety of the Government was, to do full and impartial justice. It would be a lamentable thing indeed if such a transaction as this should not be subjected to the fullest investigation. The legal guilt of the parties concerned in this transaction had not as yet been decided by the legal tribunals of the country. Therefore, though the Government might have formed an opinion as to their moral guilt, it would not be justified in giving expression to that opinion until the question as to their legal guilt had been finally determined.

Mr. *Hume* said, that a body of armed men had committed a gross outrage—had taken away the lives of several of their unoffending fellow-countrymen. The House had that fact before it: there was also another fact, namely, that bills had been sent up to a Grand Jury and ignored, and therefore no public trial took place. Was it not then fitting, that the Government should see, that persons thus intrusted with arms had not made an evil use of them? Did any man in his senses doubt that the persons to whom he alluded ought to have their arms taken out of their hands; and was it not in the power of the Irish Government to do so?

Mr. *Jephson* begged to ask the right hon. Gentleman, the Secretary for Ireland, if there was any case still pending which would go to establish or not, whether Captain Graham and his troop ought to have been present at the affray?

Mr. *Stanley* said, that Government had distinctly expressed its opinion, that the Yeomanry ought not to have been called out, and the three Magistrates who had called them out were so severely reprimanded, that two of them thought proper to send in their resignation, which was accepted.

Mr. *Jephson* said, that if the inquiries made by Government justified it in making such strong remonstrances, it ought to have gone still further, and without interfering with the civil investigation, it should have treated the matter, as far as the Yeomanry were concerned, as a military offence, and should have discharged them altogether.

Mr. *Hunt* said, that it had been said, that such an occurrence would have been tolerated in no other country than in Ireland, but he begged to remind the House, that sixteen of the people had been killed, and 600 wounded at Manchester [*a laugh.*] It was no doubt a laughable affair—a very laughable affair, but it was nevertheless unfortunately too true.

Mr. *Lambert* said, that the facts stated in the Letter of the reverend Clergyman, to which the right hon. Secretary for Ireland had referred, sufficiently bore out the statement which he had made to the House on a former occasion as to the circumstances to which it alluded, though he would admit, that it was possible that an honest expression of feeling, of which he was not ashamed, might have imparted to his statement that high colouring of which the reverend author of the Letter spoke.

Colonel *Torrens* said, that Ireland would never be what she ought to be without the establishment of an equality of laws. It would be necessary, in making a change of system in that country, to choose the Lord-lieutenants of counties from the members of all religious persuasions—to choose Grand and Petty Juries from Catholics and Protestants indiscriminately—to educate the lower orders, and to hold the scales of justice with perfect impartiality.

Petition, out of which the conversation arose, to be printed.

SUPPLY—CORONATION.] Mr. Spring Rice moved the Order of the Day for the House to resolve itself into a Committee of Supply,

The House went into the Committee.

Mr. *Spring Rice*, in moving the first vote—namely, "that the sum of 50,000*l.* be granted to his Majesty to defray the expenses which may probably be incurred at the Coronation of their Majesties," remarked, that this sum was about one-fifth of the expense which had been incurred at the former Coronation. In fact, this vote had been made out in the strictest accordance with the severest principles of economy, and it was expected that the expenses of the approaching Coronation would, instead of exceeding, be rather under the amount of this estimate. The ceremonial would be conducted upon the most economical scale, so that perhaps, as he had just said, there would even be some saving upon this estimate.

Mr. *Hume* was ready to admit, that if a Coronation at all took place, the vote now moved for the approaching ceremony was moderate compared with the expense attendant upon the Coronation of George 4th; but he could not help expressing great regret that his Majesty's Government should have thought it necessary to call for such a sum as 50,000*l.* He should himself be one of the warmest advocates of such a step if the Crowning of our most gracious Sovereign could in the slightest degree add to the respect and the affection with which he was regarded by his subjects; but believing it would be attended with a directly contrary effect, he could not restrain the expression of his disapprobation of the vote. He did not blame the present Ministers for the manner in which they brought forward the vote; on the contrary, he believed they made the whole of their arrangements with a view to save expense; nevertheless, he could not bring himself to regard such an appropriation of 50,000*l.* otherwise than as completely throwing it away, and he was quite sure that it would be infinitely more satisfactory to the people if the ceremonial were gone through without such an expenditure of the public money. He must, therefore, protest against the grant as altogether unnecessary.

Mr. *Hunt* said, that if the hon member for Middlesex was sincere in his opposition to the vote, he would divide the House upon it, and if the hon. Member did, he would divide with him.

Mr. *Hume* did not understand the hon. member for Preston. He thought it right to give his opinion on the vote, but it did not necessarily follow, that he was thereupon to put the House to the trouble of dividing without the prospect of any useful result.

Mr. *Spring Rice* said, that the coronation of the Sovereign of this country had been uniformly looked upon as a necessary ceremonial. Those who contended that his Majesty should be privately crowned in the House of Peers, in order to avoid the expense of the public ceremonial, did not recollect that the ceremony had not merely relation to the monarch, but that it had also relation to the people—that it involved a contract between the Sovereign and his people, and that every class of the community in this country had the deepest interest in that contract. If the coronation were to be conducted privately, and in a less expensive manner, in the House of Peers, as had been suggested, then observations might be made as to popular principles which were entirely repugnant to the measures to which such observations might have reference.

Mr. *O'Connell* said, that it was perfectly consistent for the hon. member for Preston to doubt the sincerity of his hon. friend the member for Middlesex, if it were the fact that men were accustomed to judge of others by themselves. It had been always considered necessary in every reign, that a coronation should take place, as a solemn recognition on the one hand, of the rights of the sovereign, and as an equally solemn acknowledgment on his part, of his duty towards his subjects. He was sure that no monarch would make that recognition with greater sincerity than the monarch who happily reigned over this country at present. If the hon. member for Middlesex were to divide the House on this estimate, he would divide against him.

Mr. *Briscoe* approved of the vote, and expressed his gratitude to the Government for having made out the estimate on such a reduced scale. He entirely agreed with the right hon. Gentleman, the Secretary to the Treasury, that the coronation of the monarch was a necessary ceremonial, but he did by no means approve of its being made an idle and expensive pageant.

Mr. *Dixon* understood the hon. member for Middlesex did not object to the items of expense, but to the general amount of the vote, and the hon. Member also contended, that the ceremony of the coronation might be conducted with the utmost satisfaction without any thing like the expense contemplated. He agreed with the hon. Member, supposing that he did not wish the ceremony to be altogether abrogated.

Mr. *Hume* had not said a word about having the ceremony performed in the House of Peers. All he had done was, to protest against the expense of it. He regretted, that his Majesty's Ministers had been driven to this folly by the expression of taunts from the Opposition in another place, which they should have had the firmness to resist. If his Majesty were crowned in the Abbey, at an expense of 5,000*l*., the people of the country would be much better satisfied.

Vote agreed to.

SUPPLY—LORD LIEUTENANT OF IRELAND.] Mr. *Spring Rice* said, that the next vote was one of those which were under the consideration of the Committee above-stairs—it was for defraying the expenses of the household of the Lord Lieutenant of Ireland. He could assure the Committee, that all possible pains had been taken to render the estimate as low as possible—it was still under the consideration of a Committee above-stairs, and he had no doubt, that it would obtain, as it merited, their most serious attention. The amount was 16,379*l*. 14*s*. 1*d*.

Mr. *Hunt* said, that the son of Sir John Byng, who was Comptroller of the Household, had never been in Ireland since his appointment to that office. He could not understand why the public were to pay for sinecure offices.

Mr. *Stanley* said, that Captain Byng, finding it impossible to attend to the duties of his office, in addition to his parliamentary duties, immediately resigned.

Mr. *Hume* bore testimony to the anxiety manifested by the present Lord Lieutenant of Ireland, to effect all possible reductions. But he hoped soon to see the office abolished altogether. He trusted, that the first Session of a Reformed Parliament would put an end to it. Ireland could never enjoy the benefits of the union with this country, so long as she was subject to a colonial system of government.

Sir *John Newport*, on the subject of the office of Lord Lieutenant of Ireland, would reserve himself till the subject came regularly under the consideration of the House. At present he would only say, he differed wholly from the view taken by the hon. member for Middlesex on the subject.

Sir *John Bourke* observed, that there was a sum of 2,373*l*. for the payment of the Battle-Axe Guards, and wished for some explanation on that point.

Mr. *Stanley* said, that they formed part of the pageantry attendant upon the office of Lord Lieutenant; that the present members of that body had purchased their situations, and, therefore, could not with any justice be dismissed; but it was intended gradually to abolish them as they fell in.

Mr. *O'Connell* approved of the plan of abolishing them as vacancies by death arose; but as to the office of Lord Lieutenant, he could not agree to its abolition; for if there were one subject more than another upon which all Irishmen were unanimous, it was upon the expediency of maintaining that office and the establishments attendant upon it.

Mr. *Leader* said, that during the last ten years there had been a falling off of 400,000*l*. a-year in the Customs and Excise of the city of Dublin. Could it, then, dispense with any of the usual advantages which it at present possessed?

Mr. *Hume* did not desire the abolition for the mere sake of the pecuniary saving, though that was not inconsiderable, but for the sake of good government in Ireland. Till they got rid of the Lord

Lieutenant, there would be nothing like good government in Ireland. If the Irish Members on the other side of the House rose to express their opinions, he was sure they would dissent from those of the hon. and learned member for Kerry.

An *Hon. Member* wished to know who it was that prevented Irish Gentlemen from speaking?

Mr. *Hume:* Their own prudence.

Vote agreed to.

Supply — Vice-Treasurer (Ireland).] The next vote was for 5,534*l.* to defray the charges of the office of Vice-Treasurer of Ireland.

Mr. *O'Connell* said, that the hon. member for Cricklade (Mr. Robert Gordon) had, on a former occasion, called the attention of Government to the serious defalcation which had taken place in this office on the part of a former Vice-Treasurer, who had been since promoted to colonial government. He wished to have some explanation from his Majesty's Government on that subject.

Mr. *Spring Rice* said, that between five and six years ago, a balance of several hundred pounds had been due from the Vice-Treasurer of Ireland to the public. At that period the Treasury arranged that 10,000*l.* should be issued annually, on account, to the Vice-Treasurer, and that he should every year deliver in his attested account, duly vouched, of the expenditure of the money, in the same way as all other public officers. Urgent and repeated calls had been made upon the Vice-Treasurer to render his accounts; but this he had neglected to do, alleging, as his reason, that the difficulty arose from a part of the papers being in Ireland and a part in England, and making various other excuses. At length the Vice-Treasurer, Sir George Hill, was appointed Governor of St. Vincent's, in the West Indies, and he left this country without rendering any account whatever of the public money intrusted to his care. In consequence of further applications, Sir George Hill had at last rendered in his accounts, but they were unsupported by vouchers, and were altogether in a condition which made it impossible that they could be audited, examined, or passed. Assuming, however, that the accounts were correct, it appeared by Sir George Hill's own showing, that he was in debt to the public the sum of 2,180*l.* He had been called upon to pay this balance, and to put his accounts in a state, so that it might be ascertained whether he was not indebted to a larger amount. Neither of these requisitions had he complied with, but he had written to the Treasury Board to say, that his nephew, Mr. Hill, who was in Ireland, would pay the balance for him. Application had consequently been made to this Mr. Hill, and the only result was, that that gentleman had declared his willingness to pay the money when Sir George Hill directed him to do so. This he supposed Sir George had not done, for the money had not yet been paid.

Mr. *Robert Gordon* thought the late Administration very reprehensible throughout the whole transaction. Sir George Hill ought not to have been appointed to so responsible and important an office as Governor and Chancellor of a colony, whilst, to use the mildest language, his accounts were in so confused a state that they could not be understood: or, being appointed, he ought not to have been permitted to sail till he had paid the money, which, by his own showing and acknowledgment, he owed to the public. The Treasury had been extremely remiss in their duty.

Mr. *Hume* went further than his hon. friend, and conceived that the Treasury Board had been extremely culpable in not settling Sir George Hill's accounts annually, and he took the case only as one example, casually discovered, of the manner in which the Treasury neglected its duty, and disregarded the public interests. Nothing could be more improper than to place a person under Sir George Hill's circumstances within the temptations of such appointments as those of Governor and Chancellor of a West-India Island, particularly at a time when the West-Indians were dealt with unsparingly, and with an iron hand of severity. He did not know how the late Ministers would answer for their conduct to the public, but as to Ministerial responsibility to that House, as it had hitherto been constituted, he treated it as a vile mockery.

Mr. *George Dawson* would allow, that the accounts of Sir George Hill had been a very long time settling, but there was a great difference between the non-settlement of an account, and a defalcation, as described by the hon. Member. A man ought not to be called a defaulter until he had refused to pay a sum justly due. As

Secretary of the Treasury he had been placed in a very delicate situation in having to call a relation to account, but he had done every thing in his power to bring Sir George to a settlement, and, unfortunately, he failed in doing it, though he was eternally trying. Until the papers and documents were furnished, it was impossible to say what was the amount of the deficiency, and whether there was any balance due to the public or not. He did not know that so large a sum as 2,000*l.* was standing on the face of the accounts as due, for he had conceived the amount to be only between 400*l.* and 500*l.* He denied, however, that any man had any right to cast any aspersions upon the character of Sir George Hill, until his accounts were settled; and he would undertake to say, that ultimately the public would not lose a shilling.

Mr. *Robert Gordon* had cast no aspersions upon Sir George Hill, for the term he had used was "confusion of accounts," although he utterly denied the doctrine of the right hon. member for Harwich, that no person had a right to employ the term "defaulter" in such a case, until it was proved that the balance could not be paid. 50,000*l.* of the public money had been paid by the Treasury to this gentleman, whilst he continually refused to render any account, and had set the Treasury at nought: and even when he would not refund what he acknowledged to be due, the late Ministers appointed him to a high and responsible situation in the colonies, and permitted him to depart with the public money in his pocket. He was convinced that every man would feel, that the late Administration was much in fault, and that the Treasury had neglected its duty.

Sir *John Newport* said, if the right hon. Gentleman opposite were correct in his notion, that no man had a right to cast an aspersion upon Sir George Hill till his accounts were settled, then Sir George was pretty secure against being aspersed, for, according to the conduct he had hitherto pursued, his accounts would remain unsettled for an indefinite period. He reprobated the conduct of the Treasury in issuing public money to a person who refused to obey all commands to account for what he had received. The Treasury had pursued the same conduct in the case of Mr. Chinnery, and the public had lost a large sum; but he must strongly protest against the doctrine of the right hon. member for Harwich, that the merits of such a case had any relation to the chances which the public might eventually run of losing or not losing money.

Mr. *O'Connell* wished to know what might be the amount of sums for which no vouchers had been given?

Mr. *Spring Rice* said, he had been rather taken by surprise, and could not exactly answer the question. On the face of the accounts the amount due was about 2,100*l.* He had strong reasons to believe the accounts would yet be settled in a satisfactory manner, but if not, the Government must take steps to compel a settlement. He assured the House that Ministers were not actuated by party feelings, and he must do the late Government the credit of declaring, that the Treasury appeared to have exerted themselves to the utmost, to procure the necessary papers and documents from Sir George Hill. He concurred fully with those who asserted, that it was absolutely necessary to observe the utmost care and punctuality in keeping the public accounts, and the Treasury were determined to enforce that doctrine in all the public departments.

Mr. *O'Connell* thought he was now justified in calling this matter a neat bit of peculation. The right hon. Baronet did not deny, that he was minus 2,100*l.*, and it would have been better if the late right hon. Secretary to the Treasury (Mr. George Dawson) had stopped the issue of the public money instead of merely writing threatening letters to his relations. The public ought not to suffer from the tenderness of relations for one another. He thought, too, that the present Ministers had not been so decided as they ought to have been. The sum was said to be only 2,100*l.*, but that ought to have been settled before Sir George Hill was sent out to St. Vincent's. He had been charged with using harsh terms. He had not used harsher terms than were necessary. He had only called things by their proper names. It had been said, that the late Government had taken steps to obtain the settlement of the accounts: it had an effectual method in its hands to obtain that object, had it determined to exert its power, and that was, to stop the issue of more money until the accounts were properly audited. But it appeared, that while they were writing letters pressing a settlement, they were issuing a salary to the person charged with the delay to stop which would have been more effectual than all the letters in the world. He thought the present Government too, was much to blame in not acting with greater decision. It was said the public would not lose the money, but how did they know that? The yellow fever might kill Sir George Hill, and then might not the public lose? Here was the sum of 2,100*l.*, sufficient for a coronation, not paid, though the officer was repeatedly called upon to render accounts. This, however, was only one nest egg. There might be fifty more yet to be discovered. He was ready to admit, that the fact was not known to the Knight of Kerry, else he would have disclosed it. His Majesty's Ministers were not justified in acting has they had done—they were not justified in acting with such political timidity, and protecting their enemies, when they ought to bring them to account. They ought to act towards their political enemies as towards their friends, and punish both alike. No one could say what might be the result of such an appointment. Sir George was Lord Chancellor of the Island of St. Vincent, and he might put 2,000*l.* in his pocket belonging to some infant, and say, "Oh! I have that sum, and will repay it;" but would not such a practice entitle a Lord Chancellor in this country to send a public officer in Chancery to prison for such conduct? If that were not the case—if Sir George Hill were not recalled—might not any defaulter in Chancery say, "I cannot be sent to prison," and give an instance in point, that of Sir George Hill? He hoped Government would immediately recall the hon. Baronet.

Sir *George Murray* concurred fully in what had been said by the right hon. Gentleman (Mr. Spring Rice), as to the mode in which both Governments had acted. He would admit, however, that he had not given all the attention to the subject he ought to have done. Sir George Hill had long been a Member of that House, he had filled a variety of offices with great approbation, and for these reasons he had recommended him to his Majesty as a proper person to be appointed governor of St. Vincent's.

Mr. *Wilks* trusted that this would be an example in future to the Government, and make it alive to the necessity of compelling their officers to account for the sums advanced to them.

Mr. *George Dawson* could not deny, that he, perhaps, had, to some extent, become a party to some degree of blame in this affair; but, knowing his connection with Sir George Hill, he had not taken the question into his own hands, but had put the papers into the hands of the Assistant Secretary of the Treasury, with directions to him to pursue the subject with all diligence. It was, however, but due to the Treasury to exonerate that department; and he must reluctantly admit, that the blame of the transaction rested with Sir George Hill.

Mr. *Robert Gordon* was not at all satisfied with the statement of his right hon. friend. He thought that his right hon. friend ought to have insisted on Sir George Hill settling his accounts before he went to the West Indies, or to have sent a whole statement of the case to the Colonial Office, where nothing of the affair could be known.

Mr. *Hume* said, that, if the doctrine laid down by the right hon. Gentleman was allowed, it would be followed by the most disastrous consequences; if the right hon. Gentleman would read the debates in Mr. Pitt's time, he would find it laid down, that no one had any right to take any portion of the public money for his own use, however accurately and entirely it might be accounted for at a subsequent period. It was of the utmost importance that every public man should be strict towards his relations, and this was particularly necessary at the Treasury. He was not pleased with the statements that had been made.

Mr. *O'Connell* said, that the right hon. member for Harwich had accused him of committing a blunder, but the blunder was on his part. The Knight of Kerry could know nothing of the matter, and the right hon. Gentleman had committed the blunder himself, for it was his fault that the public money had been wasted. What had come of the 2,000*l.*? Sir George Hill had had it without any authority, and spent it. The matter called loudly for the interposition of Parliament, and, if no other Member moved an Address to the Crown to remove that officer, he would do it himself if the money was not speedily paid in.

Mr. Alderman *Waithman* censured the plan of giving a man who was a defaulter, another situation abroad, that he might pay his default out of the other money he received from the public.

Mr. *George Dawson* said, the facts on

which the hon. Members had commented, were made known after Sir George Hill was appointed Governor of St. Vincent. They were wise, therefore, after the fact. He took blame to himself for not having seen Sir George Hill's accounts; but, not having seen them, the Treasury could not know he was in arrears. It was not clear, because there was a deficiency in Sir George Hill's accounts, that any man was entitled to assert, that he had appropriated the money to his own use. It was hard and unjust to assert, that Sir George Hill had embezzled this money, which was merely unaccounted for.

Mr. *Robert Gordon* thought, the right hon. Gentleman had been most unsuccessful, whether he meant to defend himself or defend Sir George Hill. It was an aggravation of the negligence of the Treasury to assert, that for five years the Treasury had not had this officer's accounts before it, and yet had appointed him to another office. It was clear, that the money was not now at the command of the public, and, therefore, it had been improperly appropriated.

Mr. *Strickland* hoped the hon. member for Kerry would move the Address he had spoken of; for he could not conceive the offence imputed to Sir George Hill amounted to anything but embezzlement: in private life, at least, it would be called embezzlement. It was of no consequence how the money had been disposed of. Remarks on the subject, however, would be more appropriate when the hon. and learned member for Kerry made his motion. He placed confidence in his Majesty's Ministers, and hoped they would remove this officer, if, after strict inquiry, it was thought proper to institute a prosecution and allow him to defend himself.

Mr. *Hume* thought, that he was perfectly justified in looking upon the offence of which Sir George Hill appeared to have been guilty, as a direct case of embezzlement and malversation. He did not blame him so much as he did the late Board of Treasury, the members of which deserved to be impeached for their gross negligence. In the case of Lord Melville, both that noble Lord and Mr. Pitt were examined by Parliament, although no public loss took place, yet censures were passed for acting on the principle of allowing the issue of public money without the sanction of Parliament. He fully concurred with the observation made by the hon. member for Yorkshire, for he considered the transaction a gross fraud. If the accounts were not immediately made up, and the balance paid, the matter ought to be legally and fully investigated.

Mr. *Hunt* complained of this—the second discussion of the question. The present and last Governments both wished to shift the blame off their shoulders. He, as the Representative of the public, wished to know how the public was to be indemnified; and he should suggest that 2,000*l.* less than the vote should be granted. He moved that 2,100*l.* be taken off from the vote. The Secretary of the Treasury might then stop the money out of his own salary.

Mr. *Spring Rice* said, that the motion of the hon. Member was nonsense and gross injustice. How any Gentleman should think of stopping 2,000*l.* from the salaries of the Clerks at Dublin and London, in order to recover money from Sir George Hill, he could not conceive. The present Government had no blame to throw off its shoulders.

Mr. *Hunt* respectfully denied that. He did not know any step the Government had taken to recover this money.

Mr. *Daniel W. Harvey* saw no difference between the purloiner of public and the purloiner of private property committed to his charge. There was more to plead in mitigation of the errors of a poor and industrious clerk, with a family, than in favour of a titled man of rank, who had no other excuse than his own extravagance. In our Criminal Courts it was not allowed to compound a felony after it was detected. It was not enough, therefore, that the friends of Sir George Hill offered to reimburse the public. That satisfied the civil party, but public justice ought also to be satisfied. Unless the matter were followed up by some spirited individual, it would end where it began. He thought it ought not to stop there. The imputations thrown on the individual demanded an inquiry. If the House did not institute such an inquiry, they would neglect their duties as trustees of the public money.

Sir *George Murray* said, the House had received the assurance of the right hon. Member, the Secretary of the Treasury, that the Government would follow up this matter if the balance was not paid up as had been promised. He thought the conversation might be dropped.

Mr. *James* thought the money might be stopped out of the pay or out of the pension of Sir George Hill. Another way was, for the right hon. Gentleman to give security for it.

Mr. *Spring Rice* repeated, that the Government was taking strong and pressing means to recover the money. If it were not recovered, the Government would take measures to proceed against Sir George Hill. A letter had been written to Sir George Hill on the subject, the very day the communication was received from Ireland.

Vote agreed to.

1,680*l.* was granted for the office of Teller of the Irish Court of Exchequer.

SUPPLY—PRINTING PROCLAMATIONS.] The next question was, "That 4,600*l.* be granted to defray the expenses of Statutes, and the printing of Proclamations in the *Dublin Gazette.*"

Mr. *Spring Rice* mentioned, that considerable reductions had taken place in this department already, and Government hoped to be enabled to carry them still further.

Mr. *O'Connell* desired to know what sum was charged for printing Statutes, and how much for Proclamations; he knew, that the charge for the former must vary considerably, This year the account ought to be small, as he understood Proclamations were not to be printed in country newspapers.

Mr. *Stanley* said, that in 1830 the expense was 5,000*l.*, and the charges had now been reduced as much as possible; so much so, that some inconvenience had been felt at the limited number of Statutes printed. Proclamations must be printed in country newspapers, which was frequently the only way many persons heard of them.

Mr. *O'Connell* said, that considerable patronage was exercised as to the papers in which the Proclamations were published; he should suggest they should all be inserted in the *Gazette*, and then allow them to appear in other papers without the advertisement duty being charged.

Mr. *Spring Rice* said, a Committee of last year had made the same suggestion. Patronage of the kind spoken of he agreed was very improper. In all the Treasury advertisements, the chief object kept in view was, to give them the most extensive circulation possible.

Mr. *Hume* said, the profits of the *Gazette* appeared to amount to 1,680*l.*; he wished to know what became of the money?

Mr. *Stanley* remarked, in reply, that that sum was handed to the compiler of the *Gazette*, who held his office by Patent, and it was now under consideration, whether that office could not be got rid of and the money saved.

Mr. *Hume* said, that great saving could be made in printing the Statutes, by allowing them to be printed at the Stationery-office here, which could do the work at one-third of the expense charged in Ireland. If there was one act more inconsistent with good government than another, it was having the promulgation of the laws attended with so much expense, that few persons could know of the laws made, while all were held responsible for a breach of them. The King's printer in Ireland charged 3*d.* a-sheet for the Statutes, when any other printer would be glad to sell them for 1¼*d.* a-sheet. He recommended the example of the United States to be followed, where every Statute was printed in the newspapers.

Mr. *Spring Rice* said, he knew of no difficulty which prevented the Statutes being printed in the newspapers. The Reform Bill had appeared in most of them; but the mass of legislation was so great, it could never fully appear by this method, and they must have authorized copies to be received as evidence.

Mr. *Ruthven* said, the number of copies of the Statutes printed for Ireland was not sufficient, and great inconvenience was often felt by the magistracy for the want of them.

Mr. *O'Connell* said, the recommendation of the Committee, to insert Proclamations in the *Dublin Gazette* only, ought to be attended to. Newspapers would be sure to copy all that was interesting to their readers.

Mr. *Stanley* said, there were occasions in which it was necessary to insert Proclamations in the provincial newspapers. The Government, therefore, ought not to be confined to the *Dublin Gazette* alone.

Mr. *Hume* said, there appeared still some longing for the abuses of the old system. It was in evidence, that Proclamations of importance to the north of Ireland were published in the southern newspapers, where they were of no importance, for the sake of patronage. He desired to know how much of this vote was for Proclamations only.

Mr. *Stanley* said, it was impossible to give a distinct answer to the question. Last year the charge was 1,520*l.*; the remainder was for the printing of the Statutes, and for Proclamations in the *Gazette*. The reduction this year, as compared with the last, was about 800*l.*

Mr. *Hume* proposed to diminish this grant by 1,300*l.*, which was the sum estimated as likely to be paid for the insertion of Proclamations in the newspapers; and moved an Amendment to that effect, which having been put,

Mr. *Spring Rice* said, that if they adopted the course of inserting proclamations in the *Dublin Gazette* only, they must take measures to give that paper a wider circulation, which would be attended with much expense. The Government merely wanted time to arrange the most economical manner of doing the business properly. Let the grant, therefore, be conceded this year, and see how it was expended, when, if there was any abuse, it could be rectified next year.

Mr. *O'Connell* suggested to Mr. Hume the propriety of reducing his proposition to reduce the grant to 1,000*l.*

Mr. *Hume* said, that his objection to this grant was not to the money amount of it, but to the principle involved in it. If he could get a pledge from the Government that they would publish their Proclamations in the *Dublin Gazette* alone, he would not object to grant them the amount of this vote.

Mr. *Stanley* said, that he could not give such a pledge as the hon. Member seemed to require. He would, however, pledge the Government to this: that when they published any proclamation in the provincial newspapers, the Publication should be in those newspapers, without regard to their politics, which had the largest circulation in those parts of the country to which the Proclamation more particularly related. The publication, too, of the Proclamation should be considered as an exception from the general rule of the Government, and should be justified by its particular circumstances alone.

Mr. *Hume* said, he had no wish to bind Ministers down too strictly, and, very probably there might be Acts of Parliament which required to be inserted in local newspapers: all he required was, a distinct acknowledgment that the abuses should cease, which having obtained, he begged leave to withdraw his Amendment.

Mr. *O'Connell* said, he also felt satisfied with the acknowledgment given, and would make no further opposition to the vote.

Amendment withdrawn, and orginal question agreed to.

SUPPLY—CRIMINAL PROSECUTIONS, IRELAND.] On the proposition, that 50,000*l.* should be granted to his Majesty to defray the expenses of Criminal Prosecutions in Ireland,

Mr. *George Dawson* expressed an opinion, that the 2,400*l.* a-year paid to Major Woodward and Major Farmer, as visitors of the jails of Ireland, might now be readily dispensed with. The objects for which those gentlemen were appointed had long since been accomplished, and the propriety of abolishing their situations had engaged his attention while he was in office. He feared, however, that an Act of Parliament would be found necessary for this purpose.

Mr. *Spring Rice* said, that he had urged the abolition of those offices, and divided the House on the subject. The responsibility of keeping them up rested, therefore, with the late Chancellor of the Exchequer. Since he had opposed the continuance of this office, it had been made efficient and less expensive. Since he came into office he had directed his attention to the nature of the appointments, and found that they could not well be dispensed with, if it were desired to keep the prison discipline in the good state in which it now was; but he intended to reduce the salaries to the amount allotted at the time of the creation of the offices.

Mr. *O'Connell* said, that the present vote was for a very large sum; but, large as it was, he thought that Government would not be justified in asking for less. The Government asked for this sum to enable it to carry into effect its constitutional object of governing Ireland, by means, not of brute force, but of the Trial by Jury. He would take that opportunity to express his thanks to Government for having appealed to the law, and not to Insurrection Acts, for the government of Ireland. There was, however, one grievance of which he thought that the people of Ireland had a right to complain, and that was, that promotion at the Bar depended not upon the personal merits of the barrister, but upon his party politics. He thought that such a system of party patronage ought to have ended with the late Government. On his own circuit, he contended, that the Attorney General for Ireland had abused his patronage, by passing over an experienced counsel who was at its head, and by putting Crown prosecutions into the hands of men much his juniors, for no other reason than this, that they were furious party politicians.

Mr. *Stanley* was also of opinion, that in all legal appointments the Government ought not to be guided by party feelings, but by the merits of the individuals on whom the appointments were conferred. He had heard something of the appointments to which the hon. and learned Member had referred, and had, in consequence, desired that inquiry might be made into them. He was afraid that the amount for which he then asked a vote would not be sufficient for the service of the year. He had found, upon entering on his present office, that there was an arrear of 27,000*l.* due under this head from the public. He had hoped that he should have been able to get rid of a large part of that arrear in the present year; but the peculiar circumstances of Ireland at this juncture, and the special commissions in Galway and Clare, convinced him of the fallacy of that expectation.

Mr. *North* defended the appointments which had been made on the circuit of Mr. O'Connell; he knew the individuals personally, and could declare, of one particularly, that he was a most moderate man in politics, and both were most estimable and honourable gentlemen, free from any charge of party violence. He was afraid that the hon. and learned individual merely attacked those who held these appointments, because they were not of his own party in politics.

Mr. *O'Connell* disclaimed any such imputation. He had no desire whatever to tarnish the reputation of any gentleman; he had only asserted, and would again assert, that the Attorney General was a party man; and that his appointments were tinged with his political feelings. Every such appointment was connected with party; even the Chief Baron had voted at a contested election against the Government.

Mr. *Crampton* denied, that any legal appointments had been made by the Attorney General for Ireland on political grounds alone.

Mr. *Lefroy* said, the Chief Baron did not deserve the imputation that was insinuated against him by the hon. and learned member for Kerry. He had only done what various Judges, both in England and Ireland had done several times, and had no idea of partizanship. He had voted for the candidates alluded to, solely out of private friendship.

Mr. *Henry Grattan* said, no places were bestowed in Ireland, but on the ground of political partizanship. It was a farce to tell the House it was not so.

Mr. *Leader* supported the grant with great satisfaction, because it was a charge for enforcing the law in a regular and constitutional manner. That was what had long been wanted in Ireland. He would take the present opportunity to remark, that the disturbances in the south of Ireland had been put down by the police and the military, without any assistance from the Yeomanry, which was a proof that no partizan force was required, and he hoped the lesson would not be lost.

Mr. *Maurice O'Connell* wished to correct his hon. friend. The peace in Clare had been restored by the regular troops alone, without any aid from the police. Whenever the latter attempted to interfere, the excitement and disturbance was increased.

Mr. *Hunt* said, all the legal gentlemen connected with Ireland seemed delighted with the fact, that the sum of 50,000*l.* was to be expended for law proceedings in that country. He thought the sum a great deal too much, and felt disposed to move that it should be reduced to 30,000*l.* As the hon. and learned member for Kilkenny had told them, that he supported this grant, because it was a constitutional application of the law for preserving the peace of the country, perhaps he would also say, whether the expenses of the prosecution against the hon. and learned member for Kerry was included in it, for as he (Mr. Hunt) considered that prosecution unconstitutional, he should not feel disposed to sanction any grant for it, Mr. *Hume* said, these votes for legal expenses had increased very much of late, owing to the expenses of maintaining witnesses being thrown upon the public, instead of the counties where the prosecutions took place. The Committee which sat upon this subject had recommended, that the legal expenses only, should be paid by the public. He, therefore, wished to know if their recommendation had been attended to in the amount of the present vote, as it would make a difference of 15,000*l.*?

Mr. *Spring Rice* assured his hon. friend, that the suggestion of the Committee had been attended to. One cause of the large amount of the present grant was, that it included arrears of former expenses.

Mr. *O'Connell* said, that he approved of this vote, because it went to put down a sort of agrarian disturbances which had heretofore caused an enormous expense, by special commissions, police constables, yeomanry corps, &c. They had been guilty of many acts of great personal severity. By the present practice, there was substituted for all these, the regular and ordinary tribunals of the country. It was to the expenditure incurred from this change that his observations, and those of other hon. Members applied. They considered it a more effectual, cheap, and constitutional measure than any that had before been attempted to restore tranquillity. If it was any satisfaction to the hon. member for Preston to know, he could inform the hon. Member, that the expenses of the prosecution against himself (Mr. O'Connell) were included in this vote.

Mr. *Hume* said, he was happy to hear that the expenses of witnesses was not to be defrayed by the public, and he also thought, the public ought not to be called upon to pay the expenses of prosecutions by Government of misdemeanors.

Mr. *O'Connell* said, this sort of prosecutions were generally attacks on the press. If the expenses were paid by the public, the items would come before that House, and be more under the control of Parliament than if such expenses were paid by the counties.

Mr. *Hume* wished to be informed, whether the whole of the counsel for the Crown were engaged in every Crown prosecution, and if they were paid whether they were absent or not?

Mr. *Crampton* said, there were generally four counsel for the Crown employed in each case, and they were not paid unless they were in the assize town where the case was to be tried.

Vote agreed to.

Supply — Seceding Protestant Ministers.] The next Resolution was, that a sum not exceeding 21,741*l.* 15*s.* be granted to pay the Salaries of Nonconforming, Seceding, and Protestant Dissenting Ministers in Ireland, for the year 1831.

Mr. *Spring Rice* said, there appeared a large increase upon last year's grant, when the fact was not so. In the sum now asked for was included a sum of 6,881*l.*, heretofore charged on the Civil List, but which it was now proposed should be added to the annual grant made by Parliament.

Mr. *Hume* objected to the vote. It was a new kind of grant which had arisen within a few years. The first grant was made in 1804; then a grant was given in a few years after, but now it was a regular grant voted every year. He did not see why the people of England should be called upon to pay these sums of money for the Dissenting branches of the Protestant Church in Ireland, while no such advantages were enjoyed by the Dissenters of this country or of Scotland. Within the last twenty-four years the Dissenters of Ireland had received half a million of the public money in this way. He did not say, that the parties who got it ought not to be paid; but the payment ought not to come out of the pockets of the people in this country. The Irish Church, which was the richest in the world, ought to be made to bear the expense of all its branches. Why should the people of this country pay for the Protestant Dissenting Clergy of Ireland more than those of England? or why should not this sum come out of some of the rich sees of that country? There was a fine of 25,000*l.* now payable for the renewal of some leases in the see of Derry, which the parties were not in time to pay before the death of the late Bishop Why not pay it out of that? The hon. Member was about to move a resolution against the grant, when

The *Chairman* reminded him, that he could not move it in the Committee.

Mr. *Hume* said, he would take another opportunity of moving it.

Mr. *Stanley*, in answer to the hon.

Member, stated first, that the grant was not a recent one: it was made in the first instance by Charles 2nd, increased first under William 3rd, and afterwards during the secretaryship of Lord Castlereagh. As for the revenues of the Church of Ireland, they were appropriated for peculiar objects, and could not be diverted to support Presbyterian Dissenters. He denied the right of Parliament to divert the property of the Church Establishment to any other purpose but what was properly connected with it. With respect to the see of Derry, he was ready to prove at the Bar of the House, that its yearly revenue did not exceed 12,000*l.* He supported the grant to the Presbyterian clergy, whom he described as being a most pious and loyal body of men.

Mr. *O'Connell* was convinced, that it would be a gross injustice to stop this grant to the Presbyterian preachers. As to the right of Parliament to alter the disposition of Church property in Ireland, that was, he thought, quite clear. The Church Establishment was founded on Act of Parliament, and could be altered by the same authority. He was sure, that the yearly income of the see of Derry was not one shilling less than 20,000*l.*

Mr. *Stanley* admitted the power, but denied the right of the Legislature to take away the property of the Church, as much as he denied its right to take away the property of individuals.

Mr. *O'Connell* said, that there was a great difference in the nature of church property and private property. Church property was public property, and could be disposed of with perfect justice as Parliament thought fit.

Mr. *Sheil* said, that the lands of the See of Derry were 94,000 acres; this appeared by the return of the order of the 10th of February, 1812. The Secretary for Ireland had, in touching on this subject, and the amendment of the member for Middlesex, taken occasion to reiterate the opinions expressed by him when he first came into the House, relative to the Established Church. This reiteration was of great importance, as he was now a member of the Cabinet, and held such important functions connected with the Government of Ireland. Were they to be told, that there was no change to be made in the Church Establishment? This was decidedly at variance with the declaration made by the Prime Minister in the House of Lords, who had proclaimed his decided conviction, that the Irish Church Establishment was not fitted for Ireland; so that a Cabinet Minister in the Commons dissented from a Prime Minister in the Lords. But how stood public opinion in England? Even from the great seminary of orthodoxy—from the Chair of Political Economy in Oxford—a distinct announcement had been made, that it would be necessary for Ireland that the Irish Bishoprics should be diminished. Mr. Senior had proposed to apply the revenues of eighteen Bishoprics to the purposes of the State. He owned that, as a Roman Catholic, he could not disguise the feelings with which he beheld one tithe of the nation's substance devoted to the religion of one tithe of the nation's numbers. He was no enemy of the Established Church. He was sworn not to conspire for its overthrow; but he could not be so far its friend as to be reconciled to its enormous opulence. He would not touch a single actual incumbent; but for the sake of that non-existent, and mere legal idealism, a successor, he would not desire to see a system perpetuated, against which reason, justice, policy, 7,000,000 of the Irish nation, and a large portion of the English people, concurred in remonstrating. A great retrenchment was requisite. A schedule A was required for the Irish mitres. It was not in these days of Reform that we should talk of the vested rights of the Established Church of Ireland, by which millions of the national wealth were dedicated to the maintenance of institutions alien to the nation. The Established Church might be left in its legal pre-eminence—its Bishops (although their number should be reduced) might be maintained in due dignity, and its priesthood in comfort, and at the same time much of its opulence might be applied to purposes more consistent with the national good. Thus the hostility of the nation would be mitigated, and one of the great sources of discord would be removed. Lord Grey, he trusted, would avail himself of the first opportunity afforded, to commence this most important Reform. Until it took place, it was idle to think that the prosperity and peace of Ireland could be materially promoted.

Sir *Robert Ferguson* said, that the amount of the yearly income of the See of Derry, during the life of the late Bishop, had never exceeded 12,000*l.* The renewal fine mentioned by the hon. member for Middlesex, did not amount to more than 14,000*l.*, instead of 25,000*l.*, as he had stated it.

Mr. *Hume* suggested, that as so many different statements had been made with respect to the value of this Bishopric, the consideration of the present vote should be postponed for one week.

Mr. *Spring Rice* said, the vote before the Committee had nothing to do with the question of the See of Derry, and he saw no reason for its postponement. He thought that the question of the Irish Church ought to be discussed separately.

An *Hon. Member* said, that the Church Establishment ought not to be regarded merely as a matter between Protestant and Catholic, but should be considered upon the ground of its public utility.

Mr. *Wyse* considered Parliament omnipotent not for evil but for good, and, if it thought proper, had a right to deal with church property in a manner beneficial to the whole community.

Mr. *Briscoe* hoped and trusted, that there was no truth in the report which he had lately heard, that it was the intention of Ministers to recommend to the See of Derry an individual to whom he would not allude by name; but who, he must say, was not distinguished by high theological learning and attainments. He was convinced that such an appointment would inflict the most serious injuries on the church.

Lord *Acheson* supported the vote. He said, that there was no body of men more attentive to their religious duties, or more distinguished by liberality of sentiment, than the Presbyterian clergy.

Mr. *Hume* withdrew his opposition, stating, that he would take another opportunity of bringing the subject of the See of Derry under the notice of the House.

Vote agreed to.

"470*l.* 15*s.* 5*d.* to pay the salaries of Lottery Officers in Ireland," and "2,650*l.* to defray the expenses of Inland Navigation in Ireland," were voted without remark.

Supply—Police of Dublin.] On the vote for 20,853*l.* for the expenses of the Police Watch Establishment for the City of Dublin,

Mr. *Hume* wished that a portion of this vote—namely, 1,476*l.* to the Recorder of Dublin, should be postponed till that Gentleman returned to the House, as he wished to raise a question upon it. He doubted whether he ought to have a seat in Parliament.

Mr. *Spring Rice* said, that the hon. Member might propose, that the whole vote should be postponed, but it could not conveniently be separated. It would be better to wait, and raise the question that hon. Member referred to at another time.

Mr. *O'Connell* concurred in the wish for postponement. He was decidedly of opinion the Recorder of Dublin ought not to sit as Representative of that city. Moreover, he wished to call the attention of the House to the appointments of Police Magistrates at Dublin, who were generally selected from the Corporation, and were violent political partizans. They had given great cause for complaint on many occasions—he would, therefore, suggest, that as the public paid them, the Government should have the selection of them.

Mr. *Spring Rice* was well aware that a general revision in the Irish police was necessary, but the question relating to the Recorder was no reason that the whole vote should be postponed.

Mr. *Henry Grattan* opposed the postponement of the Grant, as the Recorder was not present in person to defend himself.

Mr. *O'Connell* said, he would raise no question relating to the Recorder at present, but he objected to the general principle of the vote, which was, to pay the officers of the Corporation of Dublin, whose rapacity had been a complete curse to that city. For many years they had assessed the public to a tax for supplying the city with water; at length some inquiry took place, and the Master of the Rolls decided, that about 74,000*l.* ought to be refunded. He thought that some portion of that sum might be made available for the purposes of this grant. Why should the Government pay these Corporation Magistrates, over whom they had no control, while the Corporation, which had the patronage of the appointments, was plundering the people of Dublin. Instead of a robbery, as this had been called, it was scarcely a restitution of ill-gotten wealth.

Mr. *Lefroy* said, the hon. and learned Gentleman had, in his tirade against the Corporation of Dublin, omitted to notice that the Government really had some control over the police Magistrates. As it paid them, it was consequently able to remove them if any suspicion of delinquency appeared, but this was the first time he had ever heard that there was grounds for such an insinuation.

Mr. *O'Connell* again asserted, that the Government were not responsible for the acts of these Magistrates. They were placed in a ridiculous position between the Government and the Corporation, and the people of Dublin suffered from the maladministration of justice in consequence. There was a great difference between the power of appointment, and the power of discharging, and it was most necessary that Government should put an end to all truckling in the administration of justice.

Mr. *Dixon* said, the Corporation of Dublin ought to pay for the police of the city. It was known to have considerable revenues, and he did not see why its police ought to be paid more than the Magistrates of Edinburgh or Glasgow.

Mr. *Crampton* said, he hoped to see the police force of Ireland shortly revised by the act of the House, and the Irish Reform Bill would, he trusted, contain a provision to prevent Recorders sitting in Parliament.

Mr. *Hume* said, he would not, after this declaration, press his objection.

Vote agreed to.

3,784*l.* for the expenses of the Commissioners of Judicial Inquiry. 1,000*l.* for the expenses of the Record Works, not yet completed; 40,000*l.* for providing employment for the Poor, and relief of distress in certain districts in Ireland, were then granted.

SUPPLY—NEW BOARD OF WORKS (IRELAND).] The next question was, that 1,100*l.* for the Salaries of the Commissioners of Public Works, for half a year, ending January, 1832, be granted.

Mr. *George Dawson* said, as this was a new establishment, he wished to have some explanation of the duties attached to it, and who the Commissioners were, and for what purposes they were appointed.

Mr. *Spring Rice*, in answer, said, these Commissioners were to perform the duties of the General Post Office Board—and the superintendence of mail-coach roads, for which 600,000*l.* had been expended; they would also discharge the duties heretofore performed by the Board of Fisheries, the double duties of the Board of Inland Navigation, and the duties of the Board of Works, besides the superintendence of other public departments.

Mr. *George Dawson* begged to be informed, whether superannuation allowances were to be given to the suppressed Commissioners of the Boards of Inland Navigation and Works, because that would form a material item in the expenses?

Mr. *Stanley*, in reply, said, the Government did not intend to give superannuation allowances to the Commissioners of Inland Navigation, as that Board had only been appointed for temporary purposes—the Secretary had been employed in another office as Commissioner, and with regard to the Board of Works, two Commissioners would receive superannuation allowances, which would not cause much additional expense.

Mr. *Maurice O'Connell* recommended the formation of piers for the convenience of the Irish fisheries.

Mr. *Dixon* said, as so many propositions had been made for the benefit of Ireland, he must notice, that the Highlanders of Scotland were very much distressed, from the decline in the kelp trade, and he hoped their case would be considered, as well as others of which they heard so much night after night. He had no doubt, that there was much distress in Ireland, but he regretted to say it was not confined to that country; he hoped, therefore, Members intended to vote a sum of money for the relief of the Highlanders.

Question agreed to. The House resumed.

GAME LAWS AMENDMENT BILL.] Mr. Spring Rice moved the further consideration of the Report on the Game Bill.

Colonel *Sibthorp* described the Bill to be exceedingly unjust, and called for some further delay; it was not fair to bring it on after one o'clock in the morning.

Mr. *Spring Rice* said, any amendments that hon. Gentlemen had to propose might be brought forward at the third reading of the Bill, and it was very important the Bill should not be delayed, as it was anxiously expected by the public—the principle had been agreed to by all parties, except by the hon. Gentleman.

Colonel *Sibthorp* said, if the hon. Gentleman persevered in his motion, he would give all the opposition in his power on the third reading.

The Report taken into consideration.

Mr. *Spring Rice* proposed a clause, but if there was any objection to it now, he would bring it up on the third reading; the object was, that when trespassers were found on land, in possession of game, the legal owners or their servants might take possession of it.

Mr. *Maurice O'Connell* said, they would expose the gamekeepers, by this clause, to the danger of taking what they could have no right whatever to.

Mr. *Dixon* remarked, in answer, that it would be very hard if the owner of the game should not repossess himself of it, because the poacher might have robbed other persons also.

Amendment agreed to, and Bill, as amended, to be engrossed.

LAND TAX DOUBLE ASSESSMENT BILL.] Mr. *Spring Rice* moved the Order of the Day for the third reading, in doing which he remarked, that he was much gratified that he should have been able to carry such a measure without any opposition whatever, after a similar Bill had failed for three Sessions. The object of it was, to put an end to one of the worst remnants of the Penal Code, that which inflicted a double Land-tax upon Roman Catholics. There had been some sacrifice of revenue in giving up this remnant of intolerance and injustice, but an additional revenue ought never to be purchased at the expense of principle, or the violation of rights.

Mr. *Hume* entirely agreed with the principle of the Bill, but wished to know, whether any provision had been introduced into it confining the relief to land in the possession of Catholics for a long time, because, by relieving estates purchased recently, his right hon. friend merely made a present to the individuals who might happen to be the present proprietors.

Mr. *Spring Rice* assured his hon. friend, that the case he had alluded to was guarded against. No relief was to be given in cases where there was not an equitable claim, but his great object had been, to relieve the Statute Book from a law which had too long disgraced it.

Bill passed.

HOUSE OF LORDS,

Thursday, September 1, 1831.

MINUTES.] Returns ordered. On the Motion of the LORD CHANCELLOR, an Address to his Majesty for the third Report of the Common-law Commissioners.

HOUSE OF COMMONS,

Thursday, September 1, 1831.

MINUTES.] Bills. Brought in by Mr. JEPHSON, to regulate the Office for registering Deeds, Conveyances, and Wills in Ireland. Committed the Hackney Coaches.

Returns ordered. On the Motion of Mr. SADLER, Copy of the Evidence taken before the Committee of the House of Lords last Session to consider of the Poor-laws:—On the Motion of Mr. STEWART MACKENZIE, for a Copy of the twenty-fourth Report on Public Charities:—On the Motion of Mr. CRAMPTON, for Copies of any Answer received to a Letter dated 26th January 1831; from the Chief Secretary of Ireland to the several Courts of Justice as to the suggestions of the Commissioners of Judicial Inquiry.

Petitions presented. By Mr. LAMBERT, from the Trustees and Managers of the Hungerford and New Ross Wexford Savings Banks, for alteration of the Act 9th George 4th. cap. 92, respecting the amount to be invested by Depositors; and from the Catholic Inhabitants of New Ross, Wexford against any further Grants to the Kildare Street Society. By Mr. Alderman WOOD, from Watermen and Lightermen on the River Thames, in favour of the Steam Vessels Bill. By an HON. MEMBER, from the Minister, Churchwardens and Inhabitants of Sheen, for the Repeal or alteration of the Beer Act.

ADMINISTRATION OF JUSTICE IN INDIA.] Sir *Charles Forbes* presented a Petition from the Hindoos, Parsees, and Mahometans—natives of the East Indies, and inhabitants of the island of Bombay, praying, that all his Majesty's subjects, being natives of India, should be declared eligible to serve on Grand Juries; that the Trial by Jury in civil cases, in his Majesty's Courts of Justice in the three presidencies, should be established; that the natives should be declared eligible to serve on such Juries, as they at present did on Petit Juries, in all criminal trials in his Majesty's Courts in India; and that they might be allowed to act as Justices of the Peace, in conjunction with British Magistrates. He considered them better qualified for that office than young men, recently arrived in India from England, without any practical knowledge of the country, or the manners, customs, and habits of the natives. He had in his possession letters from native Parsees, which showed them to be fully qualified for any civil situation, and they felt the distinction which was made between them and the natives, not being allowed to sit on Juries when Christians were tried. They were calculated by habit to exhibit the utmost patience, and were free from the prejudices which he had often witnessed in Grand and Petty Juries at home. Some further protection should also be afforded to the natives against arbitrary imprisonment. The Governor and Council had the authority to imprison, and no writ of Habeas Corpus was available against their authority.

Sir *John Malcolm* admitted, that the persons who had signed the petition were as well known for their respectability and intelligence, as for their wealth. Some of them had been, for many years, amongst his best friends. He wished, therefore, to see them favoured in their just sphere. He believed that they were well qualified to act in the capacity of Jurors, and he was also of opinion they ought to be allowed to act as Justices of the Peace. They could easily make sufficient advancement in the knowledge of law to render it perfectly safe to permit them to act in that capacity. He had himself recommended them to be joined in administering the law, with reference to those police matters of which they had acquired competent knowledge. Indeed in Surat a Parsee had been for many years a police Magistrate, and had conducted himself with so much ability, in that difficult station, that the government of Bombay thought proper to invest him with an honorary title, and a real estate, which had been considered by the natives as a most enviable mark of distinction, and with which they were much delighted. He regretted, however, in a petition which contained so much to be commended, there were certain statements, relating to the provincial administration of India, which they considered defective. He could assert, however, that it had been formed with reference to the state of the varied countries over which Great Britain ruled, and there was no country in which the administration of justice, in all its branches, was more ably or honourably conducted. During the time he had been governor of Bombay, no instance of the kind of arbitrary imprisonment mentioned by the hon. Baronet, had taken place; and if such a practice did exist, it was unknown to him. He, however, heartily concurred in the principal points contained in their petition.

Mr. *Hume* hoped, as he saw the right hon. the President of the Board of Control in his place, that he should hear the intention of Government to extend to the population referred to in the petition, those privileges which the petitioners prayed the Legislature to confer on them.

Mr. *O'Connell* was exceedingly glad to hear the statements of the petitioners fully confirmed by the hon. and gallant Officer. He thought the most strenuous efforts ought to be made to remove those grievances of which they complained. It was quite obvious that the system of administration of Justice in India afforded no adequate protection for the rights of property, and scarcely any remedy for personal wrongs. There could not be a more horrible libel against the English Administration, than the state of India with respect to the administration of the law. The petitioners were grateful for very trivial matters, and all they now asked was, that the natives of that country might be declared eligible to serve on Grand Juries, and that Trial by Jury in civil cases might be established in his Majesty's Courts of Justice at the three Presidencies. Such a measure had been already adopted at Ceylon. Sir Alexander Johnstone—a person to whom humanity was deeply indebted—had there tried the experiment, and it had turned out eminently successful. The administration of justice in that country, he was informed had given great satisfaction. The petitioners stated distinctly, that their highest ambition was, to be placed on a level with European subjects, and they considered the distinctions made between them and Europeans as amongst the greatest evils they had to endure. There was an immense number of the human race—80,000,000 or 100,000,000—connected with this country, and whose land was made a matter of traffic for the purpose of raising a land revenue. A petition, speaking the sentiments of such a body, was surely deserving of every attention. He was aware of the press of business before the House, but he could not avoid expressing his sympathy with a class of people so numerous and so interesting.

Mr. *Charles Grant* did not at present mean to enter into the details connected with this subject. There was, he understood, another petition about to be presented by the hon. Gentleman opposite (the member for Middlesex), from the same parties, or from parties similarly situated, which petition embraced not only the same topics, but also others of a very important nature. He was very glad to perceive, that these petitions from the East Indies were addressed to the House of Commons, because it proved that his Majesty's subjects in the East looked with confidence to Parliament for an amelioration of their condition; and he trusted that they would find, that their expectations would ultimately be disappointed. Hon. Members must be aware, that, at the present moment, an inquiry was in process up-stairs, which entered deeply into all the great and important topics to which this petition referred—that of extending the Trial by Jury, the general judicial system of India, the establishment of the King's Courts throughout that country, and the adoption, as far as possible, in these Courts, and throughout India, of the English language—all the topics were embraced by that inquiry. These subjects naturally occupied much of the attention of the Committee up-stairs; nor was the minor subject—the right of serving on Grand Juries, though comparatively of less importance—forgotten. Upon this latter subject, if the pressure of business had not prevented it, he had meant to have made a proposition, as well as with reference to another point, namely, the admission of natives to serve on Juries for the trial of Christians. Those two points were omitted in the Act of Parliament, and it was his intention to supply the deficiency, by repealing the third clause. The state of public business would not permit of his bringing in a bill for that purpose at present, but he did not hesitate to say, that it was his intention to bring in a bill to admit natives to serve on Grand Juries, and on Juries for the trial of Christians. As to the employment of the natives as Magistrates, that was a subject on which he could not undertake to give any pledge; but it was under consideration, and there was every disposition on the part of his Majesty's Ministers, in this, and in every other case in which it could be done without injury, to accede to the reasonable wishes of the natives of India. The original cause which occasioned the right to sit on Juries to be so much restricted, was, the actual paucity of persons who were supposed to be fit to serve on Juries. He was most anxious to contribute, by every means in his power, to raise the character of his Majesty's subjects in the East, by extending to them, in every proper and practicable case, British privileges; and, with this feeling, he concurred in the propriety of the petition.

Mr. *Cutlar Fergusson* said, he felt much gratification at the announcement made by the right hon. Gentleman, the President of the Board of Control; for he could, of his own knowledge, declare, that the omission, which the right hon. Gentleman meant to remedy, had excited much discontent among the natives of India. He was convinced that their talents might be usefully employed to a much greater extent than had hitherto been made available; but how far the Government ought to go, was a question of such immense importance, as required the most cautious consideration. He must totally deny an allegation that had been made, and repeated—that the natives had no adequate protection for their property, or security for their persons. The administration of the law in India was necessarily imperfect, but it was wonderful how well it had answered. The persons who were intrusted with the judicial administration, from necessity, were only acquainted with European ideas, and were ignorant of the laws, languages, and habits of the natives. The great difficulty, therefore, was, how local knowledge could be associated with that general knowledge of the principles of jurisprudence, which it was so necessary for a lawyer to possess. The administration of India was, in his opinion, capable of being improved; but great caution was necessary. Very considerable benefits had been obtained by the establishment of the King's Courts, by which a system of peculation and misrule had been stopped by the Judges who presided, and before whom any native might bring his case, and be sure of obtaining redress; for the Judges had a merciful leaning in favour of the defenceless natives. Nothing but the coercive power of those Judges could have afforded protection to the natives. He could not concur, therefore, in the opinion, that there was no protection for the property of the natives.

Mr. *O'Connell* said, in the few remarks he had made, he had not alluded to the administration of justice by the superior Courts, but solely to its administration by inferior Courts, in the interior of the country, which he still considered capable of much improvement. He was happy to observe the spirit in which this petition had been received by the right hon. Gentleman, the President of the Board of Control.

Petition to be printed.

Mr. *Hume*, in presenting a similar Petition from 4,000 Christians, Hindoos, Parsees, Mahometans, and Jews, natives of his Majesty's territories in the East Indies, and inhabitants of the island of Bombay, stated, that the petition had been transmitted from India to this country so far back as the month of January last, but that its presentation had been delayed in consequence of the pressure of business in that House. The situation of the Committee now sitting on East-India affairs, however, rendered it desirable that the presentation of the petition should be no longer delayed. The petition was in English, but it had been translated into the languages of the natives, and was signed by many of them. He should be happy to see in the House an efficient Representation of India; and he had heard with great satisfaction, what the right hon. Gentleman, the President of the Board of Control, had said about the natives looking up to that House. He regretted to hear from any person, that these people were not fit to administer the justice of the country; for men of higher honour, or purer feelings, were not to be found in the world. The hon. Member went, in detail, through the different parts of the petition, which was as follows, corroborating its statements by his own assertions:—

"To the Honourable the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled;

"The Humble Petition of the undersigned Christians, Hindoos, Parsees, Mahometans, and Jews—natives of his Majesty's territories in India, and Inhabitants of the island of Bombay:

"Most Humbly Showeth—It is with confidence and satisfaction that we address ourselves to your honourable House: It is to Parliament that the natives of his Majesty's territories in India are indebted for the public institutions, intended to prevent injury and insult to them, and to raise them in the ranks of society; and we acknowledge with gratitude the efforts of your honourable House to promote those good purposes. It is principally to inquiries pursued by your honourable House, that the natives of India owe their earliest protection from injustice and degradation, by the establishment of the Supreme Court of Judicature at Calcutta. From that origin have successively proceeded the Recorders' Courts, and the Supreme Courts of Judicature, at Madras and Bombay: those Courts have ever fulfilled the duties intrusted to them by our gracious Sovereign Lord the King; they have acquired the confidence and esteem of the natives of India, and attached them to the British Government. At Calcutta, Madras, and Bombay, are the most numerous assemblages of the natives of India, and of foreign countries in Asia; they are of every variety of religion, cast, and sect; diversified in sacred rites and observances, and in social manners and usages. The Supreme Courts of Judicature, where they have jurisdiction over the matter to be tried, whether civil or criminal, have also power to summon witnesses, and to execute all their orders and judgments, whether by arrest of the person, or by seisure and sale of property, throughout the whole of the territories under the Presidencies at which those Courts are respectively established. Those Courts, in the execution of their processes and orders, have always been scrupulously observant of the religious doctrines, rites, and observances, and of the manners and usages of the natives. The experience of more than half a century at Calcutta, and of more than a quarter of a century at Madras and Bombay, has proved that life, property, character, and personal liberty, can be protected by his Majesty's Courts of Justice, without violation of the religions, manners, and usages of the natives. We appeal to that evidence, to contradict erroneous reports, which have been sedulously propagated, and have too long been acquiesced in, that the introduction of Courts of Justice into India, strictly administering the law for the protection of life, property, character, and personal liberty, is incompatible with the religions, manners, and usages of the natives, and would be highly offensive to them. Miserable, indeed, would be the condition of mankind, if the duties of Judges could not be executed without offending the religions, manners, and usages of those over whom they have jurisdiction. Reports also have long prevailed, and been acquiesced in, that the religions, manners, and usages of the natives of India repelled their employment in judicial functions, and that they had not capacity to perform them. The unprejudiced mind of Sir Alexander Johnstone controverted the truth of that report; and the experience of five years at Calcutta, Madras, and Bombay, has demonstrated the willingness of the natives to aid in the administration of justice, even in the unpleasant office of Jurors on trials for crimes, and their utility as Jurors has been repeatedly declared by the Supreme Court at Bombay.

"By the Charters of Justice of all the Supreme Courts of Judicature in India, and of the former Recorders' Courts at Madras and Bombay, all British subjects, and all natives, who, directly or indirectly, are employed in the service of his Majesty, or of the United Company of Merchants trading to the East Indies, or of any of his Majesty's British subjects, are subject to the Civil Jurisdiction of those Courts, in all actions for wrongs or trespasses; and the same persons, by the Acts 4 Geo. IV. c. 71, and 9 Geo. IV. c. 74, and the Charters of the Supreme Courts, are subject to the jurisdiction of those Courts, for the crimes specified in 9 Geo. IV. c. 74. In those provisions we recognize the wisdom, justice, and humanity of our gracious Sovereign Lord the King, and of the two Houses of Parliament. It was apprehended, that persons exercising public authority would injure the natives, and, for civil torts, and for crimes, the whole of them are placed under the jurisdictions of the Supreme Courts. But those laws have been little more than a dead letter; they are unknown, except at the Presidencies and in their vicinity. We, therefore, earnestly entreat, that whatever laws may be enacted for the amelioration of the condition of the natives of India, that effectual means may be provided to ensure the real and practical utility of those laws, and that they may not be, as some Acts of Parliament have been, mere nominal benefits to the natives.

"By several Acts of Parliament, the Governments at Calcutta, Madras, and Bombay have authority to frame regulations for the Provincial Courts, and which his Majesty in Council may disallow or amend; and if not disallowed within two years, they are to be of force and authority to direct the Provincial Courts, according to the tenor of the said amendment; and those regulations are annually to be laid before the two Houses of Parliament. In those enactments we again perceive the desire of Parliament to benefit the natives of India, by administering justice to them according to their own laws, and with a scrupulous attention to their religions, manners, and usages; and the Governments in India, from a supposition of their having the most correct knowledge on those matters, were intrusted with the execution of that power, subject to the revision of his Majesty in Council. But that power has been the great cause of the degradation of the natives. The uniform construction of those enactments has been, that it authorizes the Governments in India to make and repeal laws, civil and criminal; to make and annul Courts of Justice, civil and criminal; and to legislate absolutely over the natives residing beyond the ordinary jurisdiction of the Supreme Courts, wherever there is no specific enactment of Parliament on the subject. It is from the existence of that power, that laws have been enacted for the natives, and Courts of Justice established to administer them, that have stamped upon the natives of India the character of a conquered, distinct, and degraded people. The Criminal Code in force under this Presidency is among the records of your honourable House, and we refer to it in confirmation of our assertions, that it is vague in its language —that it regulates too much in detail the actions of the natives—that it abounds in severe discretionary punishments, by way of fine or imprisonment, or both—that it has an endless repetition of commutation of imprisonment for a fine—that the truth of facts is left to the decision of the British Judge, without any effectual control in persons of the decription of the accused—and that the Judge has no sympathy with the persons subject to his criminal jurisdiction. Throughout the judicial regulations of the Bombay Government, there is not one on the principle of the writ of Habeas Corpus ad subjiciendum; and, we believe that the same observation applies to the judicial regulations framed by the Governments at Calcutta and Madras. Your honourable House well understands the extensive range of human happiness that is protected by that writ: all there is in strong contrast with the Criminal Jurisdiction at the Presidencies. The gentlemen appointed Judges in the Courts, Civil and Criminal, are extremely deficient in the knowledge necessary to perform their duties. Courts of Justice are principally constituted for the security of life, of property, of character, and of personal liberty; and your honourable House well knows the great and various qualifications that are required in a Judge, to perform those duties. But the Judges of the Provincial Courts, Civil and Criminal, have no strong motive to stimulate them to acquire those qualifications. This is a fundamental and incorrigible vice in the judicial system. The change from one department of the civil service to another, is also too frequent to admit the acquisition of the necessary ability in the Judge: at one time he is in a Ministerial office at the Presidency; at another, he is in the Judicial department in the Provinces; at another he is in the Collectorate in the Provinces; and at another, he is in the Political department. At this time, the Chief Judge of the Sudder Dewannee Adawlut, and the Sudder Foujdaree Adawlut at Bombay; that is, of the Supreme Courts of Appeal in Civil and Criminal cases, is a gentleman who never was in the Judicial Department until he was made the Chief Justice of those Courts. The Civil Courts are also extremely defective, from the almost total absence of the intelligence of the natives, in the ascertainment of facts. The defects in the judicial system which we have noticed, we presume to hope, would attract the attention of your honourable House, even if the Judges always meant to do right; but the truth is, that those Judges are the principal instruments of wrong, particularly of false imprisonment, to the natives; and those acts of injustice are committed with ostentatious indifference to the feelings of those who suffer, and to the opinion of the native community. We particularly allude to the false imprisonment of Balloo bin Hurryram Sinday, Hindoo; of Ransord Kessowjee, Hindoo; of Narroba Govind Oughtia, Hindoo; and of Dhondoo Bullol, Hindoo; all proved in the Supreme Court of Judicature at Bombay. The two former committed at Tannah, within fifteen miles of the island of Bombay; and the other two at Poonah, within 100 miles of Bombay, and between both which places and Bombay there is a constant intercourse. It is, therefore, no exaggeration in us to affirm, that the laws administered to the natives beyond the Presidencies, and the Courts of Justice appointed to administer those laws, stamp upon the natives the character of a conquered, distinct, and degraded people.

"It is true, that the impartiality in the Courts of Justice, that we have presumed to solicit and enforce, will be offensive to some of the connections and adherents of former Sovereigns, who had privileges in some respects exempting them from the jurisdiction of Courts of Justice; as, for instance, the Sirdars in the Dekan, whose privileges have been conceded to them by a Regulation of the Bombay Government—Regulation 29, A.D. 1827. But we are sure that your honourable House will not expose the meanest of his Majesty's subjects in India to injury in life, property, character, or personal liberty, in complaisance to the vicious pride of those personages.

"We implore your honourable House, earnestly and without prejudice, to reflect on the condition of the natives inhabiting his Majesty's territories in India; in number, they exceed sixty millions; the greater part of them are his Majesty's natural-born subjects, and almost all the rest are denizens. This immense population, who have strong natural and legal pretensions to participate in the advantages of society, are almost entirely excluded from offices of trust and emolument. It is impossible for your honourable House to credit misrepresentations, obviously originating in prejudice and self-interest, that confound the whole native population into one mass of ignorance and corruption. The natives of the territories now British India were highly civilized, and, by their various manufactures, largely contributed to the splendour of Thebes, of Palmyra, and of ancient Alexandria, when the inhabitants of one of the most powerful and illustrious kingdoms of modern Europe lived in woods, and fought with bows and arrows and clubs. Whatever injury has been done to their understandings and moral principles, by the long continuance of despotism, will easily and rapidly be rectified by Courts of Justice intelligently and impartially administering justice among them; and by their admissibility into honourable and profitable offices in the Judicial, Territorial, and Financial Departments, being made to depend on their intellectual and moral character. The dynasties of the Sovereigns of the territories conquered by the British arms were of very short duration; those Sovereigns never had a strong hold on the affections of their subjects, and since those conquests, the natives have always manifested a desire to coalesce with the Crown of the United Kingdoms:—their wishes to do so have been repelled even with contumely. Upwards of sixty millions of his Majesty's subjects are at this time disjointed, loose, and floating on the surface of India. Nothing is more easy than to consolidate this immense population into one mass of cohesion with his Majesty's territories; administer justice to them wisely and impartially, and reward intellectual and moral merit with honourable and profitable offices, both at the Presidencies and in the Provinces, and the principle of cohesion will circulate through the whole body.

"With a view to the same principle of cohesion, we venture to suggest, that it is highly politic to introduce the English language into the vernacular languages of India; and, with that intention, for Parliament to enact, that no native, after the period of twelve years, shall be admissible into any office in the Judicial, Territorial, or Financial Departments, unless his competency in reading, writing, and speaking the English language, has been certified by a Committee appointed for his examination. The children of the natives of India have great aptitude in learning to read, write, and speak the English language. Since the institution of Schools for the instruction of the natives in the English language, under the advice and patronage of the honourable Mountstuart Elphinstone, Governor of Bombay, many of the children of the natives read, write, and speak the English language with facility and fluency. Besides the principle of cohesion which we have noticed, a knowledge of the English language, extensively dispersed among the natives of India, will afford great facilities for the future improvement of the Judicial System in India.

"Illustrious Legislators! Benefactors of the Human Race!—Your persevering and intelligent exertions to abolish the trade in slaves, have spread the fame of your humanity over the whole world. The destiny of upwards of sixty millions of human beings depends upon your Councils; they are the natural-born subjects, or the denizen subjects, of your own Sovereign. We are sure that you will be eager to redress the wrongs we have submitted to you.

"Knowing, as we do, the propensity to misrepresentation that will be active against the natives of India, and that it will be suggested that this petition does not contain the real opinions of all who have signed it, we have taken the liberty to subjoin to it a translation into the Goozaratte and Mahratta languages—the languages in most frequent use in Bombay; and if, in having so done, we have transgressed any of the rules of your honourable House, we crave your indulgence and pardon.

"And your Petitioners, as in duty bound, will ever pray, &c.

"Bombay, 25th January, 1831.
(Signed by)
"Hormuzjee Romanjee,
"Jahangheir Nasservanjee,
"Jeejebhoy Dadabhoy,
"Cursetjee Muncherjee,
} Committee;
and by upwards of four thousand respectable native inhabitants of Bombay, of every religion."

Mr. *Charles Grant* regretted that so important a subject should be brought under the consideration of the House at a time when it was impossible to bestow upon it the consideration it deserved.

Conceiving any discussion at that time to be premature, he should cautiously abstain from giving any opinion on the great question, though he begged leave to assure the House, that he was perfectly alive to its importance; and he hoped the petitioners would not judge of his opinion as to the subject by the brevity of his observations. He was happy, indeed, to conclude, from the petitioners' remarks on the use of the English language, that they were anxious to maintain their connection with this country. He would enter no further into the subject, except to assure the hon. Member, that the Government was extremely desirous to do whatever it could, to improve the condition, and promote the welfare, of the natives of India.

Sir *John Malcolm* must express his regret, that this discussion had gone to such an extent. He was not one of those who thought it necessary that the sentiments of the House, upon the great question of Indian government, should have been anticipated on the present occasion. He only saw this petition a few minutes before he came into the House, but had since heard all that had been stated upon the subject. The hon. and learned member for Kerry did him a very great injustice when he supposed that he spoke in taunt, when he told him that he must study more than he probably had done, the comparative condition of the community in Ceylon, to that of our extended possessions in India. He only meant that the subject required more attention than his other avocations were likely to leave him time to devote to it; for the slightest shades of difference in these societies would often influence the decision on points connected with their administration. He said thus much, because he desired to avoid all personal allusions, and every ground of irritation. In the discussions which might take place upon the subject of India, it would, therefore, be his care to preserve that calmness of tone which should convey no offence to any individual, whatever might be his opinions. He desired nothing more than that the same indulgence might be extended to him, when expressing sentiments which the experience of his life had taught him to entertain. He confessed he was never more surprised than when the hon. member for Middlesex said, that he objected to the natives of India holding offices. He simply said, that the natives of Bombay justly estimated themselves in not desiring to become Magistrates, unassociated with Europeans; because, their education had not given them a competent knowledge of British law to enable them to fulfil that duty. The hon. Member might have judged, from all that he had ever said, written, or done, that few men, during a long life of public service, had striven more for the attainment of an object than he had striven to elevate the character, and advance the interests, of the people of India. The hon. Member complained that the natives were not admitted to any share in the administration of justice. He would find on inquiry, that in the interior provinces of Bombay, there was not one civil case which was not originally tried by native Judges. These possessed the confidence of Government—and had liberal salaries—and as the suitors might appeal to the Session Judge of the province, and from him to a superior Court of circuit and appeal, the success of such a system, which avoided delays, and secured all the ends of justice was not doubtful. He should not detain the House further than to state a very few facts in reference to the observations of the hon. member for Middlesex, upon the petition which he had presented. The hon. Member, notwithstanding that act of the British Legislature, by which the Government of India was empowered to make laws and regulations for the administration of all the provinces beyond the limits of his Majesty's Courts established at the presidencies, had justified the expression in the petition from the natives of Bombay, "that the laws administered beyond the presidencies, and the courts of justice appointed to administer those laws, stamp upon the natives the character of a conquered, distinct, and degraded people." He was happy to think, that if these were the sentiments of those who had signed this petition, they certainly were founded in ignorance, and were not shared by the other natives of India. He desired that the House would always bear in mind a most important distinction, which must be observed in all discussions upon this subject. The inhabitants of the presidencies, within the jurisdiction of the Supreme Courts, were as distinct in feelings, and ideas, and in everything but dress and language, from the natives of the towns and villages beyond the presidencies, as the inhabitants of any part of England were from those of the remotest part of

Hungary. Within the presidencies, the population consisted of Europeans, of different classes of Indo-Britons, with a large motley, though respectable population of natives of all castes and tribes. In these great communities, schools had been instituted for the promotion of general education, a number of the scholars learnt English, and all of them formed rather of a European than an Indian society. To such a population the forms of his Majesty's Courts and the laws of England might be perfectly intelligible, and, perfectly applicable; but to extend them beyond these districts, where the communities consisted wholly of natives, to whom education had not yet reached, would be he thought mistaking the character and condition of those people. He entreated the House to recollect what a vast difference there was between England and India. Though it might have been deemed wise and expedient to introduce English law into the presidencies of India, where the population, from their comparative local circumstances, and their great commercial concerns, required such laws, it would be the deepest wound the Legislature could give to the British empire in Asia, to extend them further. England, in the highest state of civilization, required an endless multiplication of laws to protect the various interests of its inhabitants; but who could consider its statutes suited to the simple habits and more limited concerns of the natives of India? He certainly did, and must ever deprecate such an attempt. The whole code of laws which were administered at Bombay, was comprised in one volume, which had been translated into the vernacular languages of the country. There could be nothing more desirable in the law, although perhaps there was nothing connected with it more difficult of attainment, than that it should be rendered intelligible to all to whom it was administered. He stated with great satisfaction, that in consequence of the exertions of Mr. Elphinstone, and of the judicial officers in the presidency of Bombay, a plain and simple system of laws had been fully established in its provinces, which must soon be perfectly understood by all who came within the jurisdiction of the Provincial Courts in that country. That being the case, he need hardly say, that it was most appropriate to the character and condition of the community. He was perfectly willing, however, that this and every petition from India, should be received and printed for that House. A petition very similar to the present one was addressed to a Judge of Bombay. He need not mention any name, but merely state, that it had been translated into the vernacular tongue, and sent to Poonah, near which city he happened to be residing. Its arrival created the utmost sensation. There were at Poonah a number of men of high rank, as well as many of wealth and respectability. These were in the habit of attending a levee which he held weekly, and which took place the day after that occurrence. There had been, consequently, no time for deliberation; and as the public officer, whose duty it was, to communicate with them, was absent, and did not return till immediately before the levee, the natives at Poonah had little, if any opportunity of consulting him. He mentioned these facts to prove, that an address made by them to him on that occasion was the honest effusion of the moment; and he also mentioned them as an excuse for some of the expressions in this Address, which, though quite sincere, were, as far as related to English lawyers, of a character which he of course could not approve; but when those who presented it crowded round him in numbers, and evinced real alarm, he could not criticise their language, and had only to answer their address, by assuring them that they should continue to live happy as they had done under the established rule, and that they need fear no change. He must, after the two petitions which had been presented that day, read, with the permission of the House, a literal translation of that address. It was given to him on the 17th of September, 1830, signed by all the principal inhabitants, and 2,000 others, and he was satisfied, that it expressed not only their sentiments, but, as far as he had the means of judging, that of all the natives of the territories of Bombay, not residing at the presidency. It ran as follows:—

"We, the undersigned inhabitants of Poonah, have heard that, on the 10th or 11th instant, an address was presented by certain persons at Bombay, to a Judge of the Supreme Court, in which it was stated, that the extension of the jurisdiction of that Court over the provinces, would be gratifying to all the population of the country, who were most desirous of such a measure being adopted.

"We have received this intelligence with dismay and grief. If this statement should find its way to England, and it should be believed there that such are the real sentiments of the people of this country, measures may be adopted in conformity thereto. Our respectability and privileges will then cease to exist; lawyers will come and devour our substance, and destroy the community.

"When these provinces fell into the hands of the British Government, a resolution was issued, guranteeing to the inhabitants the preservation of their laws and customs. Subsequently, special regulations have been enacted for the maintenance, and dignity, and honour, of the ancient Sirdars of the country. These are now in force. Trusting to their permanence, we have lived in security and happiness.

"Last year, when a process of the Supreme Court was issued against Pandurang Ramchunder Dhumderry, a representation of our fears of the infringement of our privileges was made to the Government, the Government were pleased to answer us by an assurance that our fears were groundless; and the subsequent measures adopted, and which saved the honour of the house of Dhumderry, inspired the community with confidence.

"Since yesterday, we have heard this news from Bombay, and we are again plunged into anxiety for the result. We have, therefore, hastily written this address, and implore you to lose no time in transmitting to the highest authorities in England our prayer, that the jurisdiction of the Supreme Court of Bombay may not be extended to this province."

He trusted the House would give him credit for not having brought forward this address unnecessarily. But he would not enlarge upon the subject; the impolicy of such a course did not depend upon his testimony; the same opinion was evinced in all past Acts of the Legislature; and he was satisfied, that the more the matter was investigated, the more would the House be satisfied, that there was not the slightest foundation for the allegations which these petitioners had brought against the Judicial Courts of India, and the high and competent public officers who presided in them. It had been urged on that occasion, that the people had not been properly educated, and that no means had been afforded them of attaining a knowledge of the English language, He did not understand what the hon. member for Middlesex meant, when he talked about the want of education in India. Surely he did not mean, that the whole of the population, amounting to sixty or eighty millions, should be sent to school to learn English.

Mr. *Hume* certainly did.

S r *John Malcolm:* Then God forbid that he should be the schoolmaster. It was stated in the petition, as a glaring instance of the improper construction of the Provincial courts, that besides the general incompetence of the Judges, the Chief Judge of the highest Court in Bombay had never—before he was nominated to that station—been in the judicial branch of the service. By the present constitution of the government, a member of Council, in his capacity of Councillor, belonged to that Court, and at Bombay, the fact was as stated. The highly respectable individual alluded to, had not been in the judicial branch, but that objection was more to form than substance. All the judicial duties on the circuits, belonged to the four Judges of that Court, who were invariably selected from the oldest and most competent public servants in the judicial line. The House would perceive how a plain simple statement disproved the assertions of those natives. By an enactment or regulation, which, whether wisely or unwisely passed it was not for him at present to inquire, it was provided, that one of the members of the Council must always be appointed to the head of the Court of Appeal. He could say more, but would only add, to what he had before stated, that though there might be some defects, as there were in all institutions, no laws were ever better adapted to those for whose benefit they were framed, nor more ably and honestly administered, than those which had been so much attacked in this groundless petition. He could more fully answer the allegations which that petition contained, but was unwilling, at that time, to trespass upon the House. He could not, however, refrain from saying thus much, in order that it might not appear that such observations as had been made, were suffered to pass by entirely without comment. He could only repeat his regret, that he had been called into the discussion at all, because he thought that any debate upon the subject at the present moment, was premature and ill-timed; and more particularly so as it was the cause of unnecessary delay to other matters of the greatest importance.

Mr. *Cutlar Fergusson* was most unwilling to prolong the discussion; but having been particularly alluded to, he thought he might be allowed to offer a very few observations. The remarks which he made when the first petition was presented, were intended principally as an answer to the observation of the hon. and learned member for Kerry, that a general system of oppression prevailed in the administration of Justice in India, for which there was no remedy. Although he admitted that there might be some defects in the mode in which Justice was administered in India, still there were in all the presidencies, Courts of the last resort, filled by persons who were not only willing to listen to any complaints that might be brought before them, but who were also eminently qualified to give a correct decision upon them. However, upon this point he did not consider it necessary to say another word, because the hon. and gallant Officer who had just sat down appeared to him to have set it entirely at rest. His personal knowledge of India was principally confined to Bengal. Of the judicial bench there he could only say, that it was filled by men of the greatest eminence, of the highest attainments, and of the deepest learning. And when he mentioned the names of Mr. James Stewart, Mr. Colebrook, and Mr. Courtney Smith, three persons than whom none could be more eminently qualified to administer Justice in India, he thought he had said enough to show, that the natives of Bengal had nothing to dread from a partial or a negligent administration of the laws. With respect to what had been said of oppression, he would only observe, that in a great country like India, it could not be expected but that some individual cases of oppression must sometimes take place. The administration of Justice in such a country could not be made so perfect as positively to prevent occasional errors; but he must insist that the natives of India had, of late years, had much less cause of complaint upon this score than they had formerly. He certainly was sorry to hear his hon. friend express his concurrence in that part of the petition in which the petitioners stated that the Judges of India were, in truth, the principal instruments of wrong. He regretted to hear him express his assent to so general a censure upon the whole of that respectable body; but he was satisfied that when the proper opportunity arrived, he should be able to convince him, as well as the hon. and learned member for Kerry, that the statement was entirely without foundation.

Mr. *O'Connell* stated, that the hon. and learned Gentleman had entirely mistaken him if he supposed that he meant to cast a reflection on the Judges of India. Unacquainted as he necessarily was with that country, from never having resided in it, of course he would not bear any testimony as to the truth or falsehood of the allegations which were made in the petitions which had been presented. It seemed, however, that a large body of the natives of India conceived that they had reasonable grounds of complaint against the mode in which Justice was administered to them. Whether their complaint were well or ill founded, he still maintained that the subject demanded the deepest consideration of that House; because, where the interests, the welfare, and the good government of so many were concerned, it was of the utmost importance that the administration of Justice should not only be pure but unsuspected. It was, however, worthy of remark, that these petitioners named particular instances of what they conceived to be an oppressive administration of the laws, and which were now on their way to this country for final decision. But the petitioners also stated, that the manner in which the laws were administered beyond the presidencies, stamped upon the natives the character of a conquered, distinct, and degraded people. He should judge from this that the petitioners did not refer to the King's Judges in the Supreme Courts, but to those who were allowed to act in the judicial capacity beyond the presidencies. He must, in justice to his hon. friend, the member for Middlesex, say, that he had received the same impression with respect to the hon. and gallant Officer as his hon. friend; namely, that he was inimical to the admission of the native Indians to any offices of trust or emolument. He was glad to find, by the speech which the hon. and gallant Officer had just made, that such was not the case.

Sir *Charles Forbes* could not think, however anxious some hon. Gentlemen might be to proceed with the Reform Bill, that the two hours which had been consumed in the discussion of these petitions, in which the interests of 100,000,000 of fellow-subjects were involved, had been improperly spent. Would the House, for the sake of advancing the vile Reform Bill, that hideous monster, the most frightful that ever showed its face in that House, refuse to devote a few minutes to the consideration of two of the most important petitions that were ever laid on its Table? He claimed for the people of India a patient hearing. In justice to the hon. and gallant General, the late governor of Bombay, he must say, that he had understood, he followed up one of the regulations of the preceding Government, to a degree which, he thought, did him great honour—he meant the employment of natives in the judicial character in the interior of the country. He had no doubt that those who had been so employed would prove themselves worthy of the trust which had been confided to them. They had heard the opinion of an hon. Director opposite, as to the qualifications of the natives to fill such offices. He hoped he might be permitted to state to the House the opinions of one of his body who resided upwards of twenty years on the western side of India, and to whom he had sent the petition of the natives for perusal. In returning it he wrote as follows:—

"I have read the petition which you are commissioned to present to the House of Commons, from the natives of Bombay, with great satisfaction. I rejoice to see, that they sensibly feel their relative inferior position, and that in claiming the exercise of their natural rights, they are supported by reasoning conclusive in justice and good policy. It is not, as you know, a new sentiment with me, that our native fellow subjects should be admitted to a liberal participation in the government of their country. I have, from my earliest days in India, seen examples of talent, zeal, and integrity, among the natives not to be surpassed by Europeans; and I have known and experienced that, without their practical information and assistance, the most important results of our proceedings could never have been attained. The admission of the prayer of the petitioners to be made eligible to serve as Grand Jurors and Justices of the Peace, will be a desirable and important measure. I should not be disposed to qualify this concession with the condition of their acting in conjunction with a European Justice of the Peace, because I question whether some of the gentlemen officiating in those situations, and who are chosen indiscriminately from the service, are better qualified than many of the natives. It would be an incentive to others to qualify themselves for such honourable stations, and thus would commence that incorporation of the natives in the general system of the British Government, which would prove the best guarantee for its permanency."

These were the sentiments of a man whom he had the honour to call his friend, who, for many years, filled the highly important situation of Political Resident at Paroda, and who, consequently, had the best opportunities of judging of the character and talents of the natives of India. He should be very sorry if the House were to suppose that he read the letter which he had received yesterday from Bombay, from any other motive than to shew the excellent qualifications of the natives. In conclusion, he had only to observe, that nothing should ever deter him from expressing his sentiments, when he conceived that the welfare, the happiness, and the prosperity of the people of the vast British possessions in India were at stake. To many of the natives of India he owed a debt of gratitude which he could never repay; and, therefore, as long as he had a voice to raise, or a vote to give, he would never abandon their interests in that House.

The petition to be printed.

ATTENDANCE OF THE HOUSE AT THE CORONATION.] Mr. *C. W. Wynn* brought up the Report of the Select Committee appointed to examine how the Members of the House might, with the most conveniency, see their Majesties' Coronation, and what orders were to be observed therein. The Committee reported,

1. "That it will be expedient that the House should assemble at eight of the clock in the morning of the day of their Majesties' Coronation, and that the Members should attend in Court dresses, out of mourning, and that they enter by the great gate of Westminster Hall.

2. "That to secure free passage for the carriages of the Members, Mr. Speaker be requested to issue tickets to such Members as shall apply for the same.

3. "That the names of the counties of the United Kingdom be put into a glass; and that, after Mr. Speaker shall have left the Chair, the same be drawn by the Clerk, and that no Member do presume to go out of the House until the county for which he serves shall have been called; and that, for the more regular proceedings of the Members, Mr. Speaker be requested to stay, after he shall have left the Chair, till all the Members shall have proceeded in the order according to which their counties have been called.

4. "That no Member of this House do remain in or do cross or pass through any part of the passages leading from the door of the Lobby of the House to the

gallery prepared for the Members in Westminster Abbey, and that the Serjeant at Arms do keep the said passages clear of Members.

5. "That the Deputy Serjeant at Arms do precede the Members, and conduct them to their seats in the Abbey.

6. "That, when the Members go to the Abbey, they proceed two a-breast, without crowding, through the Members' Waiting Rooms, across St. Margaret's-street, to the Abbey door in Poet's Corner, under a covered way, and so to the gallery prepared for their accommodation over the Altar in the Abbey, and that they return by the same way to the House.

7. "That after nine of the clock in the morning, the passage to the Abbey by Poet's Corner be kept clear for the exclusive use of the Members of the House of Commons until they shall have passed to their seats, and again, after the solemnity shall have been concluded, until they shall have returned to the House."

Mr. Alderman *Wood* said, that as Aldermen were generally anxious about their bodily comforts, he supposed that it would be neither disorderly nor inconsistent on his part to inquire whether, as the Committee had reported that Members should be in their places in that House so early as eight o'clock in the morning, they had taken the precaution of providing a breakfast for them.

Mr. *James* wished to take that opportunity, as he had not been present last evening when the subject was brought before the House, to express his sentiments with regard to the great expenditure which the estimate for the Coronation would entail on the country.

The *Speaker* said, that it would be more regular for the hon. Member to express his opinions on this subject when the Report of the Committee of Supply should be brought up.

Mr. *James* said, that the Report of the Committee would not probably be brought up until three or four o'clock in the morning, when all the Reporters would be fast asleep, and when, therefore, it would be perfectly useless to say anything about it.

The *Speaker* repeated, that the regular time for the hon. Member to express his sentiments with regard to the Estimate in question was, when the Report of the Committee should be brought up.

Mr. *James* said, that he held in his hand the printed Estimate, which had been distributed that morning, and that he was not aware that it was to be brought forward last night, or he would have attended in his place.

Lord *Althorp* said, that the sum total of the Estimate for the Coronation had no relation whatever to the vote to which the House was now called upon to agree. The hon. Gentleman would have an ample opportunity for discussing that Estimate when the Report of the Committee should be presented, but the circumstance to which he had alluded, as inducing him to discuss that Estimate now, was perfectly disorderly.

Mr. *James* contended, that he had a perfect right to make the observations which he intended to make with regard to this Estimate, on the present occasion. His observations might not, perhaps, be as palatable within as they would be without that House. It would be just as convenient for the House to hear his observations now as on the occasion of the presentation of the Report of the Committee. The more he considered such a vote as that of 50,000*l.* for the expense of the Coronation, the more he was convinced—[*cries of* "*Order! order!*"]

The *Speaker*, interrupting the hon. Member, said, he was sure that he must perceive that the general feeling of the House was, that this question should not be discussed on this occasion, but that its discussion should be postponed to the regular opportunity, which would be afforded on the bringing up of the Report of the Committee.

Mr. *James* still thought, that it might be just as convenient for the House to hear the observations which he had to make on this occasion. He was about to express opinions in unison with those of some hon. Members about him, at least with those of the hon. member for Middlesex.

Mr. *Hume* said, he quite agreed with his hon. friend with regard to the Estimate in question, but he was of opinion, that the proper time for discussing it would be when the Report of the Committee was brought up.

Mr. *James* observed, that if it was so exceedingly disagreeable and unpalatable to the House to hear his observations now, he should of course postpone them until three or four o'clock in the morning, when—

Mr. *Hume* wished that the Report and the Resolutions of the Committee should be read again, in order to see whether they had acted in strict accordance with former precedents.

That having been done,

Mr. *C. W. Wynn* said, that the Committee had strictly followed those precedents which had been adopted at former Coronations.

Mr. *Hume* said, that the Coronations of King William 3rd, and of Queen Anne formed the principal precedents for the guidance of the Committee. This was the first time that it was thought necessary to require that the Members of that House should go in Court dresses to the Coronation.

Lord *Mahon* said, that it was always usual for the Members of that House, when they attended on his Majesty at levee, or on other public and solemn occasions, to go in Court dress. Such a mark of respect was required of every subject who appeared to offer his duty or homage to his Sovereign; and if it were required on even the most ordinary occasions, how much less should it be omitted in concluding a high and solemn compact between the Monarch and the people? When he considered the dignity belonging not only to the office but to the person of the King, he would never consent, more especially in such times as the present, to abate one jot of the outward forms which surrounded the throne. A feeling of respect to his Majesty had hitherto been deeply rooted in the English character, and he trusted never to see the day when that feeling should be lessened, or when the courtly ceremonies which had sprung from it should be laid aside.

Mr. *James* wished to know why it was thought necessary that the Members of that House should be in attendance there at eight o'clock in the morning, when, as he understood, the Coronation would not take place until three or four in the afternoon?

Mr. *C. W. Wynn* said, that their Majesties would set out with the procession from the Palace at ten o'clock, and it was therefore important, that the Members of that House should be in their places at an early hour.

Mr. *Hume* was inclined to move, that that part of the Report which required that the Members of that House should go in livery to the Coronation should be omitted. He was surprised at the innovation which had been introduced by his right hon. friend, the member for Montgomeryshire in this regard. Good God! was it possible, that his right hon. friend, who was such a stickler for past precedents and past usages, should have been the author of such an innovation as that of calling on the Members of that House to attend at the Coronation in Court dresses?

The *Speaker* was not before aware, that the hon. Member regarded the direction to appear in Court dress as an infringement of the privileges of the House; but the hon. Member should recollect, that the recommendation proceeded from a Committee of the House, and was of no force unless confirmed by the House.

Mr. *Hume* knew it was a recommendation of the Committee, but nevertheless he wished that the Livery should be thrown aside altogether.

Sir *Edward Sugden* said, that a Court dress was the usual dress in which Members appeared on solemn and public occasions, and more especially on such an awful and public occasion as that of the Coronation of the King and Queen of these realms.

Mr. *James* said, that it appeared from the Report of the Committee, that 410 places had been reserved for the Members of that House. He wished to know what would become of the remainder of the Members, and whether, if any Members went without Court dresses, they would be excluded?

Lord *Althorp* said, that the objection started by the hon. Member involved no difficulty in its solution, for that, of course, there was a general understanding that no Member would go unless in Court dress. At the Coronations of King William and of Queen Anne, which had been referred to as precedents, the Members of that House all attended in Court dresses.

Mr. *Hume:* The Members of this House then attended in the ordinary dress worn by them on public occasions at that period. They are now called upon to attend in an extraordinary dress.

Sir *Charles Wetherell* was astonished that the Knight of the Shire for Middlesex should refuse to go in his proper and appropriate costume. The gallant Member should not only wear his bag wig and sword, but he should also go with his spurs on.

Mr. *C. W. Wynn* said, that the Court dress had been mentioned in the Resolutions, in order to prevent any misapprehensions on the subject.

Sir *Charles Forbes* remarked, that only 410 places had been reserved for the accommodation of the 658 Members of that House. He wished to know what was to become of the remaining 248 Members? Were they to be excluded, and, if so, was it the Reformers, or the Anti-reformers, that would be excluded on that occasion?

Lord *Althorp* was of opinion, that 410 places would afford ample accommodation for all the Members who would attend at the Coronation.

The Report and the Resolutions agreed to.

WINE DUTIES.] On the Motion for the House going into Committee on the Reform Bill,

Mr. *Keith Douglas* said, that he heard it reported that the noble Lord intended to abandon the proposed increase of duty on Cape Wines. He hoped the report was true, as the wine-growers at the Cape would be ruined by the imposition of higher duties, and great injury would accrue to a particular class who were the consumers of such kinds of Wines. He was moreover quite certain, that the Exchequer would receive no benefit; he, therefore, begged to know if the noble Lord had really abandoned this impolitic impost?

Lord *Althorp* was still of opinion that it would be wise to increase the duties, but as he found there was a difference of opinion on the subject, it was not his intention to propose any increased duty on Cape Wines in his Bill. He meant to separate the question of the equalization of the duties of French and Portuguese Wines from the question concerning Cape Wines. Although the measure was postponed for the present, he trusted that, whatever Government might be in office, would adopt the plan of so increasing them in the year 1834, as proposed in the present Resolutions.

Mr. *George Robinson* requested the noble Lord to inform him when he intended to bring forward these questions.

Lord *Althorp* said, he intended to proceed without delay with respect to French and Portuguese Wines, and with respect to Cape Wines he should proceed as soon as convenient.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-FIFTH DAY.] The House went into Committee on the Bill.

The *Chairman* said, the question was, that, in the 23rd clause, all the words after "And be it enacted" be struck out, for the purpose of inserting the following:—

"And be it enacted, that the persons hereafter mentioned shall be, and they are hereby, appointed Commissioners for the purposes hereinafter mentioned, with regard to elections for counties; and that the said Commissioners, or the major part of them, shall, within three months after the passing of this Act, inquire and determine in what manner each of the counties enumerated in schedule G, to this Act annexed, shall thereafter be divided into two divisions, in order that each division may return two Knights of the Shire to serve for the same in all future Parliaments, as hereinbefore mentioned; and the said Commissioners, or the major part of them, shall divide each of the said counties accordingly, and shall also determine at what principal place of election the Court for the election of Knights of the Shire for each division of the said counties shall be holden, and at what principal place of election the Court for the election of Knights of the Shire for each of the three Ridings of Yorkshire, and for the parts of Lindsey, and for the parts of Kesteven and Holland, in the county of Lincoln, shall be holden; and the said Commissioners, or the major part of them, shall have power to unite and incorporate (for the purposes of election only) with any county, or with any division of a county to be by them made, any outlying portions of any other county which may be locally situate within the former, and shall deliver a report of such their determination to one of his Majesty's Principal Secretaries of State, who shall forthwith lay the same before his Majesty in Council; and it shall be lawful for his Majesty to issue his Royal Proclamation, making known the determination and the Report of the said Commissioners, from the date of which Proclamation every county enumerated in the said schedule G, shall, for the purposes of this Act, be and remain so divided into two divisions, and each division shall return two Knights of the Shire to serve for the same in all future Parliaments; and every county, or division of a county, shall, for the purposes of this Act, include any portions of any other county that may have been so united and incorporated therewith as aforesaid, and a copy of such Report of the said Commissioners shall forthwith be laid before both Houses of Parliament, if then sitting, or if not sitting, then within ten days after their sitting.

"And be it enacted, that the same persons shall be, and they are hereby, appointed Commissioners for the purposes hereinafter mentioned, with regard to elections for cities and boroughs; and the said last mentioned Commissioners, or the major part of them, shall inquire into and determine, for the purposes of this Act, the limits and boundaries of all the cities and boroughs in England and Wales, which, after the passing of this Act, shall have or shall retain, or shall acquire by virtue of this Act, the right of sending a Member or Members to Parliament; and the said last mentioned Commissioners, or the major part of them, shall have power to incorporate (if they shall think fit) with any such city or borough, for the purposes of this Act, any one or more parishes or townships, the whole or any part of which may be situate within or adjoining to such city or borough, and shall have power to determine (if they shall think fit) what place within the limits of any borough, acquiring by virtue of this Act, the right of sending a Member or Members to Parliament, shall be the principal place for holding the election for such borough; and in case they shall not determine such principal place, then the same shall be determined by the returning officer for such borough; and the said last-mentioned Commissioners, or the major part of them, shall, on or before the
next after the passing of this Act, deliver a report of their determination on the matters aforesaid to one of his Majesty's Principal Secretaries of State, who shall forthwith lay the same before his Majesty in Council; and it shall be lawful for his Majesty to issue his Royal Proclamation, making known the said determination and Report of the said last-mentioned Commissioners, from the date of which Proclamation every such city or borough shall (until Parliament shall otherwise decide) be and remain bounded and limited, for the purposes of this Act, according to such determination, and shall, jointly with such incorporated parish or township, parishes or townships, be a city or borough, for the purpose of electing a Member or Members to serve in all future Parliaments; and a copy of the said Report shall forthwith be laid before both Houses of Parliament, if then sitting, or, if not sitting, then within ten days after their sitting."

Lord *Althorp* said, that as they had now arrived at the clause which had for its object to appoint the Commissioners for the division of counties, he would take that opportunity of making a few explanations. It had, at first, been intended that this task should be undertaken by Members of the Privy Council—a body that would not have been responsible to Parliament—but this had been objected to, and, perhaps, on sufficient grounds. It was now, therefore, proposed that a set of Commissioners should be appointed, and that their Report should be subsequently submitted to both Houses of Parliament for approval; after which, the course would be, an Address from Parliament to the Crown, praying it to adopt the divisions laid down in the Report of the Commissioners, if approved of by Parliament. It had been stated, it would be better to give directions to the Commissioners as to the mode of dividing the counties; but it appeared there would be considerable difficulty in wording the clause in such a way as to give them sufficient discretionary power to act; and, as the Commissioners would have to report to both Houses, it was not considered necessary, as it might interfere too much with their duty. The course which they had to pursue was simply to make a fair and equal division of the counties, and also to arrange the limits of new boroughs, and add to the old boroughs such places as were so connected and interwoven with the boroughs as naturally to form a part of them. As the Commissioners had been selected from a class of men as little biassed as possible, either by politics or party feelings, there was every probability that they would perform their duty impartially and fairly. After the Commissioners had done their work, they would send their Report to the Home Secretary, to be laid before both Houses of Parliament. A notice had been given of a motion to discuss each county and borough separately; but this he must object to decidedly, for the delay which it would cause would be interminable. In fact, the discussions on schedules A and B would be but a joke to it. The House would see the whole Report, and judge if it were fair and impartial; and, if any division should be made erroneously or partially, that division could be revised on receiving the Report. There would be some difficulty in making this arrangement [" *hear," from an hon. Member*]. The hon. Member cheered, but he could assure him, that the Government, when they undertook the task, were well aware that it could not be effected without difficulty. The difficulty was, that between the passing of this Bill and the confirmation of the Report no new Parliament could be elected, because by the passing of the Bill, the old Election-laws would be repealed, and till the division of the counties, and the boundaries of the boroughs under the new law were determined, no new election could take place. This was a difficulty which he had thought it to be his duty to state to the Committee; but, after all, he thought that it would turn out to be rather a theoretical difficulty than a practical one. Having said thus much, he would now proceed to state to the Committee the names of the proposed Commissioners; but before doing so, he begged to observe, that it had been found necessary to have a very large number of Commissioners, in order to facilitate the work of the division of the counties and the settlement of the boundaries of boroughs. If the Commissioners had been but few, an immense portion of time would have been occupied in their having to visit every part of the country, before they could form the divisions; but by having a large number, some would be able to go in one direction, and some in another, by which division of labour the period occupied would be considerably shortened. In order, however, to prevent any misapprehension, he begged further to observe, that though a few of the Commissioners would be deemed sufficient to make the necessary inquiries on the spot, no decision of theirs would be taken, unless it was confirmed by a majority of the whole body of the Commissioners. The number of that body was to be, according to the proposition of Government, thirty-one; so that, before any division could be recommended in their Report, it must be sanctioned by sixteen at least. In the selection of the gentlemen who were to act as Commissioners, he could assure the House that the Government had been actuated by no party feeling whatever; indeed, most of them were men who had taken no part in public life, and of whose political opinions the world was not generally informed. For himself he could say, that although he necessarily knew the political opinions of some out of so large a number, yet there were many others with whose sentiments he was in no way acquainted. In short, the ground upon which they had been chosen was that of character, knowledge, and science. He would now read over the names. They were:—

The Right Hon. J. Abercrombie, Lord Chief Baron of Scotland.
E. J. Littleton, Esq.
Davies Gilbert, Esq.
W. Courtenay, Esq.
H. Martin, } Masters in Chancery.
W. Wingfield, }
Sir J. W. Gordon, Bart.
H. Hallam, Esq.
F. Beaufort, Esq. R. N.
Launcelot Baugh Allen, Esq.
H. Gawler, Esq.
T. Birch, Esq.
W. Leake, Esq.
Benjamin Annesley, Esq.
J. T. Chapman, Esq.
R. Dawson, Esq.
T. Drummond, Esq.
J. E. Drinkwater, Esq.
T. F. Ellis, Esq.
H. B. Kerr, Esq.
T. B. Lennard, Esq.
W. Ord, jun., Esq.
J. Romilly, Esq.
R. J. Saunders, Esq.
The Rev. R. Sheepshanks.
W. E. Tallents, Esq.
H. Tancred, Esq.
J. Wrottesley, Esq.
F. Martin, Esq. Royal Engineer.
R. A. Scott. Esq., Royal Staff Corps,
W. Wild, Esq.

The Chairman read the clause with these names inserted,

Sir *Edward Sugden* thought, that the alteration which the noble Lord had made in his plan, with respect to the Commissioners, had taken away many of the objectionable points that had formerly existed. It was true that the House would be delegating to another set of persons its own authority; but since it still retained for itself the right of supervision and alteration, that delegation was not so objectionable. He thought that the number of the Commissioners was very great, but was willing to take the noble Lord's word, that without that number the business could not be got through with sufficient rapidity. What he chiefly found fault with was, the plan for two, or three, or four Commissioners taking a particular district under their survey, and regulating all the boroughs and counties in it. If left to themselves, it was not improbable that they would set out in parties of two or three, as suited their convenience, making their duties in some measure subservient to their pleasures. Their suggestions, it was true, were to be submitted to the general body of Commissioners—but he was afraid that the system adopted would be, to take it for granted that those who had actually been on the spot were the proper judges; and he was quite sure that it was agreeable to human nature, for men who had their own reports and views to submit for adoption, not to examine with too scrutinizing an eye those of the very persons who were at a future stage to take their reports and views into consideration. One of his objections to the appointment of these Commissioners was, that it would be difficult for the House to disengage itself from the report they might make in any particular case; but that was an evil which would always attend delegated powers. He did not think that there would be much probability of the report that might be laid on the Table being sent back for alteration, unless some case of gross injustice should appear on the face of it; but the Commissioners would not be called upon to revise their proceedings by either House of Parliament, merely from one or two cases of partiality or other grievance being brought forward. It would be invidious for the House to find fault with the acts of those to whom it delegated a great trust, unless some charge could be sustained of having acted with general partiality. Another strong argument against sending the report of the Commissioners back for revision would be, that it would restrain the Monarch from dissolving Parliament—it would strip the Crown of one of its most important prerogatives; and could the House, upon such slight grounds, say that so much of the constitutional authority of the King should remain suspended? The right of voting constituted by the latter end of the clause did not correspond with the right of voting conferred by the former part of the clause. If it were necessary for the Commissioners to go out of the borough upon which they were operating, they might go to any distance within seven miles to create a sufficient constituency; for instance, if there were a large manufacturing place in the neighbourhood of any borough, they might go into it, and by taking all the 10*l.* houses within it might make a constituency, not merely of 300, but of 3,000 voters. As Ministers could not interfere with the conduct of the Commissioners, or indeed say one word to them about their conduct after they were appointed, it would happen that some Commissioners would look upon this clause as entitling them to add as many voters as they pleased to the constituency of a borough, and that other Commissioners would look upon it as restricting them to keep the constituency as close as they could to 300 voters. With regard to the last clause relating to the Commissioners, he meant the 26th, a monstrous power was given to them. It gave those Commissioners who were not sworn to secresy, or to anything else, and of whose names, though, no doubt, they were very respectable, the House had never heard before, the right of examining and inquiring into the charters and muniments of every Corporation in the country. He had no doubt that the worthy Alderman, the member for the City of London, would oppose this clause, as it might materially affect the interests of the citizens of London. The power was too great even to intrust to the House of Commons, and still less to Commissioners appointed in this way, and not bound to preserve unpublished the information they might obtain. They were not merely allowed to enforce the production of the documents necessary for the attainment of the information they required, but also of all public documents. He entered his protest once for all against the scheme of ascertaining by the inquiry of these Commissioners the boundaries of a single borough. If it was necessary to ascertain these boundaries, let it be done by a solemn trial before a jury: for upon these boundaries, the legal right to tolls, &c., often depended; and it was not fitting to leave the existence of such rights to the will of thirty-one, or of eighteen, or of even two or three irresponsible Commissioners. It was not sufficient to say, that the power of these Commissioners was only for the purposes of this Act, for the whole of the documents of the Corporation might be called for by the Commissioners, and they might be made public, and a Corporation or a borough ruined through the decision of two or three of these Commissioners. Suppose a trial respecting the boundary of a borough, the decision of the Commissioners would have great weight with a jury, in consequence of their having the power of obtaining such accurate information. A person about to litigate with a Corporation might go to the Commissioners, and induce them to call for papers and documents, and thus be able to obtain important information which might govern him in his ulterior proceedings. There was a most important cause before the courts, relative to the borough of Liverpool, and what was to hinder the Commissioners from calling for all the papers and documents on both sides, and thus settle a case in a week which had been before a Court of justice for years? He remembered an observation on this subject by Lord Eldon, it was the case of the town of Newcastle, the Corporation of which very unaccountably produced their title-deeds, when they were not called upon to do so, and in consequence they lost an estate of several thousands a-year. There was not a lawyer in the country who would not tell the owner of an estate to keep his muniments in a box, and to shew them to no one, for it was not uncommon to find an unexpected flaw in a title, which might lead to the loss of the estate if it were made known. There was no occasion to arm these Commissioners with such great and unnecessary powers as those which this clause would give them. If the noble Lord said, in the words of the Bill, that the Commissioners were to be intrusted with this power, and the boundaries were to be determined only for the purposes of this Act, that would not be found an effectual answer, and would not prevent injustice. He confessed he did not know precisely what was meant by the purposes of this Act, or how far they were meant to extend. No necessity whatever had been shown to confer on any set of Commissioners these enormous and unconstitutional powers; and though the clause as amended was not so objectionable as at first, yet he thought it was one which deserved the most serious consideration. Although his general objection to this clause had been removed by the alteration which the noble Lord had introduced into it, he was bound in justice to himself to state, that his other objections to it remained unaltered. He should not propose any amendment upon it; for as he disapproved of the Bill entirely, he had hitherto studiously refrained from any attempt to amend it. He had made himself master of the details of the Bill, as his duty required, and had expressed his objections to those details, because the Bill excited his disapprobation, and not because he wished to delay it factiously. The noble Lord would amend the clause, if he thought that there was any weight in the objections which he (Sir E. Sugden) had suggested, and if he did not wish to hear of them again at another stage of the Bill.

Lord *Althorp* was glad to hear the hon. and learned Gentleman declare his opinion, that Ministers, by agreeing to submit the Report of these Commissioners to the approbation of the two Houses of Parliament, had made a great and beneficial alteration in this clause. The hon. and learned Gentleman objected to the power given by this clause to the Commissioners to divide the boundaries of boroughs and counties, contending that some limitation ought to be placed upon the numbers of the constituency which they were entitled to create. He was, however, of opinion, that some discretion must be left to the Commissioners as to their proceedings. The hon. and learned Member had stated, that he did not know what was meant by the words in the Bill—" for the purposes of this Act." He (Lord Althorp) thought that those words were very clear, and that there could be no doubt that they meant, for the purposes of the election of Members to serve in Parliament. When the counties should be divided, the division would be made for election purposes, not with any intention of erecting separate counties. So, too, with regard to the fixing of the boundaries of boroughs. It was impossible to tell, until each borough was inspected by the Commissioners, what places ought to be added to it; and that very consideration was a complete answer to all the arguments which the hon. and learned Member had raised upon the unlimited power confided to the Commissioners. The hon. and learned Gentleman had also complained of the mode suggested of taking the nearest road within seven miles of the place. What had been done was in conformity to the legal mode adopted by the Courts of Westminster Hall. It was necessary to have some mode of ascertaining the distance, and this course was taken, believing that it would prove satisfactory. The hon. and learned Member had also objected to the 26th clause, because it gave the Commissioners a right, not only to examine witnesses, but also the charters and muniments of Corporations. The object of that clause was, to get at the rate-books, and at such books as would give the Commissioners information as to the number of 10*l.* houses. He, for one, did not think that it would be necessary for the Commissioners to inspect any charters or documents. The Commissioners would not have the power of defining the limits of existing boroughs, and therefore there would be no necessity to call for charters to prove their limits. The hon. and learned Gentleman had said, that the Commissioners might act on different principles, in cases where they did not find 300 houses in the new boroughs. He admitted that, when Government had once appointed these Commissioners, it could give them no other directions for their conduct than the words of this Act; and, therefore, it might be possible that one set of Commissioners might take in the constituency of a whole town in the neighbourhood of a newly-created borough, and that another set might only take in a part of that constituency. But, admitting the possibility, what was to be said as to the probability of such an arrangement? Did the hon. and learned Gentleman mean to assert, that when the Commissioners once entered a town, they were to end their inquiries as soon as they had gained 300 constituents? Such an arrangement would be most inconvenient, not to say most impracticable. He was of opinion, that when the Commissioners found it necessary to take in part of a town, they would also feel it their duty to take in the whole, and not to draw an imaginary line, giving the elective franchise to all who lived on one side of it, and withholding it from all who lived on the other. For these reasons, he thought it absolutely necessary that some discretion should be left to the Commissioners.

Sir *Charles Wetherell* maintained, that this clause involved principles of the very highest importance. As he had hitherto objected to this Bill *in toto*, he was sure that the Committee would not be surprised at hearing that it was his intention to object to its machinery *in toto* also. He would, however, go further, and say, that if he had clothed himself as a Reformer, he could not brace himself up to carry this proposal into effect in the same manner that this Bill did. If he understood this Bill aright, the Crown would have no power to dissolve Parliament for three months after it was passed into law. Now that was a novelty in the Constitution. From its earliest rudiments to the present time, no instance had ever occurred of the Crown being limited for one hour in its prerogative to dissolve the Parliament at its pleasure. He therefore objected to the novel principle which this clause introduced into English legislation. If this principle had met with the approbation of the Keeper of the Great Seal, he would ask that learned officer, "Can you, the Lord Chancellor of England, consent to originate a bill, by which the power of your Royal Master to suspend the existence of Parliament—a power which hitherto has never been disputed for an hour, is locked up, and abrogated, for three months at least, and may be even for a longer time?" He would never give his consent to such a clause, so long as he was a Member of the House of Commons. He was most anxious to support the privileges of that House, but he was equally anxious to support the just prerogatives of the Crown; and he had always understood, that one of those prerogatives was, to dissolve Parliament at its pleasure. The existence of this clause in the Bill was, with him, an insuperable objection against the Bill itself. Besides, if the Bill were to pass with this clause in it, how would they be able to move for a new writ to supply the vacancy of any hon. Member who might die, or accept the Chiltern Hundreds, before the next dissolution?

The *Attorney General:* The enactments of this Bill only relate to future Parliaments, not to the present Parliament.

Sir *Charles Wetherell:* If that were so, his argument fell to the ground. As many Gentlemen might not be inclined to dispose of this clause in the summary way in which he was inclined to dispose of it, he would now proceed to state his objections to the machinery of it. First of all, the Committee ought to have a greater knowledge of the individuals appointed Commissioners, than that which it could acquire by hearing their names read hastily over at the Table. For that reason alone, he thought that time ought to be given for the consideration of this clause. There were some of the Commissioners whom, even the noble Lord thought, might be possibly accused of radicalism. Now a gentleman might be a very honourable and a very clever man, and yet a monstrous Radical. In running his eye through the list, he could not help seeing, that there was in it a very good list of many very warm political Radical Reformers. That was an objection to the list, and, in saying so, he did not mean to impeach the moral honesty, or the private respectability of the Commissioners. He likewise objected to the appointment of thirty-one Commissioners to new-fangle the whole geographical and political map of England. Amongst other names on the list, he perceived that of a learned and respected friend of his own, the Chief Baron of Scotland, an individual to whom he might reasonably object, as he was naturally connected by his station with the Scotch Reform Bill, rather than that which was now under consideration. The mention of this name, he was willing to believe, had originated in mistake; for the Chief Baron's situation as a Judge must necessarily render him quite unfit to discharge the duties that were to be intrusted to these functionaries. Ministers, he was sure, never meant to place a judicial character in a position that would unavoidably subject him to jealousy and suspicion. Then, was there not reason to apprehend, that the portion of the Commissioners who might be placed on active duty of such a nature, would be too severely overworked? On one day they would be whirled off to Chester in the Telegraph, and on another they would be shot away to Northampton in the Rocket. All this wear and tear of locomotion, it was much to be feared, would be productive of the most formidable consequences. He presumed it was in honour of the 1st of September, that Ministers had selected these thirty-one sportsmen to mark, wing, bring down, and lacerate every borough, town, and county in England, and return to Downing-street after having bagged their quarry. The county Members, who voted for such a course of proceeding, were, in effect, treating their constituents as animals *feræ naturæ*, who might be packed in one preserve, or transferred to another, at the arbitrary will and pleasure of these erratic sportsmen, duly licensed by the Treasury. It was also, he believed, a source of general dissatisfaction throughout every county in England, that the Commissioners whom Government proposed to appoint, should be empowered to name the places in which the elections were to take place. He objected, also, to the unrestrained power of the Commissioners to divide counties as they pleased, and they ought to be so divided, that the proprietors of large estates should retain the influence attached to them. But there might be a Radical Commissioner making the division, who would be of a very different opinion. Many objected to the division of counties altogether, because it gave a balance in favour of the landed interest, which it ought to have; but a Radical Commissioner might so divide a county as to neutralize the intention of the Legislature. He mentioned no names, but it was quite possible for the Commissioners so to divide some counties, as to diminish instead of confirming the influence of the landed interest. The Commissioners had power given them, not only to divide the counties, but to make up the required numbers of the constituency in certain old boroughs, and to mark the limits of all the new boroughs. When schedules A and B were before the House, a brook, a bridge, or a street, was sufficient to justify it in dislocating one part of the town from the other, and thus disfranchising it according to the arbitrary principle of the Bill. How unjustly that principle operated in the cases of Guildford and Dorchester, the House must recollect. It had here, by instructions to the Commissioners, an opportunity of repairing the injury then committed. But did Ministers compel them to join these dislocated parts of towns to the parent body? No such thing; though they were empowered to join places, many miles off, to make up a constituency. There was another power equally monstrous. The Commissioners might add the whole or part of any adjoining parish or township, to a borough, to make up exactly the required constituency, or make it three, four, five, or six thousand. They might open their compasses, and draw a circle on the map just of sufficient extent, or they might open them as wide as they pleased. As it was not possible to detect and measure crookedness by a crooked rule, so it would be difficult to find a standard by which to measure perfect novelty; but certainly that was the most extravagant, unmeasured delegation of power ever practised by any Legislature. The most unbounded room was opened for favouritism; the Commissioners might support and maintain the influence of a Whig, and annihilate that of a Tory; but to lean on either side was objectionable. He complained, that the people of England should be made a stock in trade for three trading, dealing, travelling Commissioners to dispose of as they thought fit. He must also mention another extravagant power given to these Commissioners, which had been adverted to by his hon. and learned friend near him—the power of demanding all the archives of every Corporation of this country, to be submitted to their inspection. Would any of the country Gentlemen on that side of the House like to have their title-deed chest opened and ransacked? The archives of a Corporation were their titles to their property. There were several Masters in Chancery on the list of Commissioners, and they, in looking over the title-deeds, might choose to alter the real limits of a borough, for the purposes of this Act, although they could not alter or limit its legal jurisdiction. He had no doubt that nothing was further from the intention of the noble Lord, in framing this clause, than to occasion all this collateral mischief, but it was likely, nevertheless, to happen. These were the objections which, even if he were disposed to effect any Reform, would disable him from adopting this plan. Instead, however, of having any secure ground of legislation to go upon, the House must half legislate, and give powers to complete its legislation to Commissioners, who would be open to the charge of favouritism and intrigue. There was no previous instance of the constituent body being dealt with except by a perfect act of the Legislature. He should not attempt to amend the clause, for he objected to the principle altogether. The hon. and learned Gentleman concluded by again asserting, that it was a monstrosity to make the people of England, as it were, a mere stock-in-trade, to be partitioned out, and divided, and sub-divided, at the election of a clique, or quorum of Commissioners.

Mr. *Hudson Gurney* said, that he was disposed to give the largest possible powers to the Commissioners named in the clause, as they would, in that case, be better enabled to execute their functions, and to do their work well, particularly as their decisions and acts were not to be final until they had received the approbation of Parliament. With respect to the power of Commissioners to call for Corporation charters, that ought not to be objected to, for these charters were often abused, and frauds committed under their sanction. He was a friend to the corporate system, and therefore desired to prevent all abuses in it, and thought this power of examining their charters would tend to put down usurpations.

Mr. *C. W. Wynn* said, that he should never have contemplated consenting to the delegation of such powers as were conferred by this clause on the Commissioners, but for the consideration that their acts were to receive the sanction of Parliament, a proviso which he must confess obviated a great part of his objections. The clause, however, as it at present stood, was not particularly well adapted to enable the House to revise those decisions in detail, should any exceptions be taken to any one of them, for the clause rather bound the House to look at the general decisions of the Commissioners in the mass, than to take each particular case into consideration. The House should recollect that these Commissioners would have to deal with considerably more than 100 places. In the first instance, there were twenty-five counties to be divided: next, thirty-eight new boroughs to be instituted in England; next, above twenty places in Wales, not before having any share in the Representation, to be made part of districts which, with almost forty boroughs in schedule B, made between 120 and 130 places the Commissioners would have to deal with. When the report had been made, of course the House would direct it to be printed, that it might be shewn all over the country, and parties who felt themselves aggrieved—for, giving the Commissioners credit for impartiality, they must inevitably commit some error—might present petitions against what they thought unjust to the House. On these petitions the House would have to strike an average; or rather, determine upon the Report by a majority of these petitions being rightly or wrongly founded. Thus, if twenty complaints had no foundation, and ten had, the House was to say, that the whole of the Report should be adopted; or, *vice versâ*, to reject the whole Report if the well-founded complaints should predominate, not specifying which were wrong. But would it not be better to refer back only such particular cases as required revision? He disliked, too, the constitution of the Commission, the numbers of which the list was composed being too great. He was aware of the advantage of having a large number of persons to examine the particulars of different places on the spot, but a small number ought to be set over them to decide disputed or difficult points. He was willing to take the first five names on the list, and make them the Commissioners upon whom all the responsibility should rest—styling the rest sub-Commissioners. When responsibility was divided, it was lost; and so many being engaged would render them liable to charges which would not otherwise be thought of. Suppose, for instance, that the hon. member for Staffordshire was one of the Commissioners for dividing that county; though, being Member for it he would hardly meddle with it; but suppose him to be concerned in dividing a county where any friend or relative of his had great influence—no decision that could be come to would be satisfactory, for it would be said, that he had influenced the Court of the Commissioners to adopt his views. But the constitutional objection urged by his hon. and learned friend (Sir Charles Wetherell) had struck his mind most forcibly—he meant that relating to the suspension of the power of the Crown to dissolve Parliament, which it must not be supposed would last only three months. Three months was the period within which this Report would have to be made; but some time must be allowed for its being printed and considered by the country, after which it would have to be considered by this House; the Overseers would have then to make out lists of the voters, which must afterwards be stuck on the church doors; and the decisions of the Barristers, who were to determine on contested rights of voting, must be made before the Act could come into force. Under this Act the Crown then would not have the power of dissolving Parliament. It would be most dangerous thus to make a precedent for suspending the exercise of the Royal prerogative. It was certainly highly improbable, that the Crown would desire to increase its prerogatives in this instance, but as it was possible, he would suggest that the power should not be taken away; and that, in the event of its exercising that power before any or all the final steps necessary to complete this Act be taken, the business of election shall proceed in the old form. He did not deny the inconvenience of that course, and no doubt it would be a strong reason for dissuading the Crown from so exercising its prerogative; but was it attended with more inconvenience than might result from depriving the Crown of so important a part of its prerogative for six, eight, or nine months? He would suggest, therefore, to his noble friend, to bring in a clause to the effect, that if the Crown should dissolve Parliament before the completion of these final steps, the Act shall not take effect.

Sir *Robert Inglis* observed, that the hon. and learned member for Montgomeryshire had said justly, that there was no rule laid down for the guidance of the Commissioners in executing their functions, whether property, population, or franchise, was to be taken as the principle upon which the divisions were to proceed; and he certainly wished to learn from the noble Lord opposite, whether it was intended, on the part of Government, to furnish the Commissioners with any rules whereby their acts might be guided.

Lord *Althorp* said, that the intention of Government was, to interfere with these Commissioners as little as possible; they would, therefore, be left at full liberty to draw up instructions for themselves. The right hon. member for Montgomery had expressed a wish to see the responsibility of their acts concentrated in the persons of seven of the Commissioners, and to make the rest sub-Commissioners. Now, though he was not disposed to deny that, in many cases, it was very unadviseable to divide responsibilities, yet he must say, that, in the present instance, great benefit would result from the extension of the responsibilities imposed on the Commissioners by the Act, and he should therefore be averse to making any alteration in that respect. The right hon. Member had also urged, as an objection, that the House would have to take the general decision of the Commissioners into consideration, instead of examining each particular case in detail, when any complaint was made of their decision; but he must be allowed to say, that if the House should pledge itself to the consideration of each particular case, the time of the House might be occupied during a whole Session in examining the merits of the complaints, should they be numerous, as probably they might be. With respect to the last objection of the right hon. Gentleman, he must observe, that, even at the present period, the power of the Crown to dissolve the House was virtually restrained, until the Mutiny Act had passed; and as the objection was more a theoretical than a practical objection, he did not see why he might not bring the theoretic powers of the Constitution to bear upon the question. He must, however, express his entire disapproval of the suggestion of the right hon. Member, that in case a dissolution of Parliament became inevitable before the Commissioners had executed their functions, the elections should proceed on their present principle; for how was it possible to accede to such a proposition, after the Parliament had passed a law declaring the present constituency unfit to possess their franchises on their present footing?

Colonel *Sibthorp* expressed a hope that the Bill would not pass the House, or if it did, that it would neither pass the upper House nor obtain the sanction of the Crown. He recommended the Government to withdraw it altogether. He decidedly objected to Members of the House being appointed Commissioners, more especially county Members. There was an individual among these Commissioners for whom he had great private friendship,—whose integrity, and whose general, as well as parliamentary knowledge, all must respect—he meant Mr. Davies Gilbert; but even to him he objected as a Member of this Commission, as well as to any other Member of this House in that capacity. He particularly objected to the hon. member for Staffordshire, because he was a county Member; not that he thought him inclined to do wrong, but because his name as a county Member would have too great an influence. He objected also to Ministers having the appointment of these Commissioners; for although he acquitted the noble Lord, the Chancellor of the Exchequer, of wishing to do anything underhand, yet the impression on the public would be, that the *secrete consiliarii* had been at work. The Commissioners, too, were to make their report to the Secretary of State for the Home Department; but would it not be more constitutional for them to come at once to that House? There were a few select, honest, excellent, persevering, determined, unchangeable men, men who would not cut—who were not here to-day and there to-morrow—but who stuck to those benches every night in spite of the injury they did their constitutions. But the other side were secure in their numbers. All they said was, "Come along my lads! care not for them or what they say:" and the *sic volo sic jubeo* being passed along the line, the question was put, the hon. member for Middlesex took down his names and numbers, the question was carried against them, and they were handed down by the Press, perhaps to the obloquy of posterity. He objected to every clause in the Bill; but if there were one set of clauses in it more objectionable than others, it was these; and he hoped that if they could overturn the phalanx opposed to them by numbers, they should do so by integrity and prudence.

Mr. *Freshfield* thought the power of the Commissioners too extensive. A great objection was, that though an appeal from the award of the Commissioners was allowed, if this House was dissatisfied with it, in the first instance, there was no provision made for an appeal from the second award. The time for making the award was three months; but suppose the Commissioners did not make their award within that time, was this to be remedied by passing another act of Parliament? Another and more serious objection was this: suppose the case of the demise of the Crown at a particular period. The House had no power to sit beyond six months; and suppose that they were occupied longer than that in considering, and referring, and reconsidering awards, what, constitutionally, would be the situation of the country?

Mr. *Hughes Hughes* said, he could not approve of the appointment of four of the gentlemen included in the proposed list of Commissioners. He objected to a learned Judge, the Lord Chief Baron of Scotland, being at the head of a parliamentary Commission of this description. He had the strongest objection to two hon. Members of the House, and one of them, too, a Representative of one of the counties which were to be the subject of division, being members of a Commission upon whose report they would afterwards have to sit in judgment. He objected, also, to the appearance of a reverend gentleman in that list, whose sacred office could not have supplied him with any peculiar qualification for the task, and who ought to have far higher claims upon his attention. He begged to be understood as objecting to these honourable gentlemen, not as individuals, but on account of the stations they filled. In introducing the amended clause, then before the Committee, the noble Lord, the Chancellor of the Exchequer alluded to certain further alterations in it, which he (Mr. Hughes Hughes) had taken the liberty of suggesting on a former day, but with respect to which the noble Lord was mistaken in supposing that he intended to give a notice of a motion on the subject. One of his suggestions was, that the Commissioners should make a separate report in the case of each of the twenty-five counties enumerated in schedule G, and to this he thought the noble Lord offered no sufficient objection, when he said that this would lead to debates, compared with which the discussions on schedules A and B must be looked upon as brief. Did the noble Lord then suppose that, because all the twenty-five counties were the subject of one ponderous report, the case of each county would not be separately considered? If his suggestion had been adopted, instead of referring back to the Commissioners the whole report; if, with respect to any one of the counties, Parliament should think, that it required to be revised and amended, the report upon such county only would be so referred back, while the remaining reports would be adopted, which would surely be more convenient. To the subject of another suggestion which he had taken the liberty of throwing out, his hon. friend, the member for Penryn, had adverted. Clause twenty-five not providing what should be done in the possible event that the report of the Commissioners, after one revision, should not be adopted by both Houses of Parliament, he had recommended an addition to the clause, to the effect that every county, the report with respect to which should not be so adopted, should remain entire and undivided, and should in future return four Members; and this he submitted to the Committee as one mode of finally disposing of the important question as to the division of counties. And here he would repeat the opinion that he had expressed on the first appearance of the amended clause then immediately under consideration, viz. that it was a very important improvement of the clause for which it was substituted, inasmuch as it removed the unconstitutional objection which he felt, in common with so many hon. members of the House, to the irresponsible and absolute power of the Commissioners, whose reports must now be approved by Parliament; but still he could not help saying, and he thought the public would go along with him in the opinion, that it was paying dearly for the Ministerial adhesion to the generally obnoxious provision for the division of counties, to be obliged to submit to the necessity which it involved of an additional delay of six or nine months before a reformed Parliament could be called into existence. He must still think that Ministers had much better, even now, surrender the point of the division of counties. He had some verbal alterations to suggest in the clause, but, believing that the single point then under consideration was the list of Commissioners, he should not do so at that time, but conclude by intimating that, if any amendment should be proposed, having for its object the erasure of all or any of the four names to which he had objected, he should feel bound to support it.

Mr. *John Fane* condemned the legislating in so uncertain and prospective a manner as this clause professed to do. They had heard of *ex post facto* law, but here was an Act to declare something to be law in future which was unknown. He considered that this delegation of the legislative power was a surrender of the privileges of Parliament. He wished to know, as the clause declared that the two Houses of Parliament were to address the King, and then the report was to become law, what would be the law suppose only one of the two Houses should agree to address his Majesty. He apprehended in that case, they should have disfranchised the old constituent body without having created a new one.

Lord *Althorp* believed, that three months was ample time to make a Report, and when Parliament enacted that something was to be done, it presumed that it would be done. Many objections of this kind might be made with reference to other subjects besides this. The hon. member for Penryn (Mr. Freshfield) had asked, what would be done in the event of the demise of the Crown. Why Parliament would meet immediately. If the Commissioners had not completed their labour in three months, and the House had not done their's in six months, undoubtedly great difficulty would arise, But if Parliament saw this, they would, of course, adopt measures to obviate the difficulty. Therefore, the objection of the hon. Member appeared of very little weight. To suppose that the Commissioners would not make their award in six months, was to suppose that they would purposely obstruct an Act of Parliament. The hon. member for Oxford had recommended Ministers to give up the division of counties. He (Lord Althorp) confessed that he was surprised that there were some in that House, and out of the House, who were friendly to the Bill, who had approved of every part of the Bill at first, but who now professed the strongest possible objection to that clause which related to the division of counties. This, however, was not a time to argue that point. Then, with regard to the names of the Commissioners. The Lord Chief Baron of Scotland was objected to because he was a Judge; it could not be on the ground of the business of his Court interfering with his duties as Commissioner. Had it been the Chief Baron of England it might be different. Then, he could not see upon what ground the two Members of Parliament were objected to. They were perfectly competent. If it was supposed that his hon. friend, the member for Stafford, would show such bad taste as to undertake the division of Stafford, it was supposing what was improbable. The Commissioner objected to on the ground of his being a clergyman, the rev. Mr. Sheepshanks, was a Fellow of Trinity College, Cambridge—a man of great science, and likely to be of the greatest service, where a scientific person was required. If he had been a clergyman intrusted with the cure of souls, it might be improper to draw him from that duty.

Mr. *Hughes Hughes* had not objected to the Commissioners as individuals, but on account of their stations.

Mr. *Cresset Pelham* said, it was not unreasonable to assume, that the Commissioners might be unable to divide counties consistently with the principles of the Bill; and if a report came before the House which the House could not approve of, it must send that report back to the Commissioners for revision, which was such a delegation of their power as they ought never to tolerate. He should rather see the House undertake the division itself than submit it to others, and this evil was increased when there appeared some symptoms that Ministers were not agreed among themselves on the subject of the appointment of Commissioners. When the Bill was first before them, it had been proposed, in the case of Appleby, that such persons should be appointed to decide disputed cases, as to the extent and population of boroughs, and then they were told, that Commissioners ought not to be appointed, for the House was the proper tribunal to decide upon such subjects—but now it was affirmed the House was unfit to decide, and Commissioners were to be named. He had no doubt the whole was, and would be, attended with infinite difficulty.

Mr. *Hunt* concurred with the hon. member for Oxford. He supposed these Commissioners were to have a salary. [" *No," from Lord Althorp*] He was glad to hear that denial, as it would tend to shorten the time the Commissioners would take to make their reports. That would depend, too, on the manner in which they proceeded to their business. If they went in small parties, and collected information to be afterwards determined on, then the majority of the Commissioners would decide in the dark—for the facts of each case could be known only to a few, and if the whole body visited every place, there would be no end to their labours. They would not make their reports in three years, much less in three months.

In reply to questions from Mr. Hughes Hughes,

Lord *Althorp* said, that the Commissioners were to have no salary; they were to be paid their travelling expenses. They had not commenced their duties, though they might have made some inquiries.

Sir *Thomas Fremantle* protested against giving so great a power to Commissioners, without allowing the House fuller time for consideration, and to ascertain the qualifications of these gentlemen for the office. Two-thirds of the Commissioners the House had never heard of before. Some were officers on half-pay, some barristers, and some attornies. He did not say they were unfit for the duties imposed on them, but he suspected they had generally a political bias. The two first names were those of persons connected with the Government, and the appointment in general was *primâ facie* evidence, that their opinions were not hostile to the present Ministry. They were to have great authority to decide upon the constituency of boroughs, and they might be supposed liable to be influenced by a wish to make such a selection of additional voters as would give the town or borough a future political character. He was happy to hear they were not to have salaries, but it was idle to assert they were nominated by the House, when the fact was, they were appointed by the Ministry.

Mr. *Hunt* wished to be understood as not objecting to the Commissioners being paid. He had no objection to those being paid who did important public duties. His great objection was, that many persons received large salaries who did no duties for them.

Mr. *Robert Grosvenor* said, that if some of the Commissioners were favourable to the opinions of Government, there were others who held different opinions, and who would be a sufficient check on any political bias in their brother Commissioners. The hon. Baronet had objected to half-pay officers being nominated—he had yet to learn that a half-pay officer was not as competent to perform the duties of a Commissioner as any other man, if he had, in other respects, the requisite qualifications. No reason could be assigned why they might not have these as well as any other class of society.

Mr. *Wrangham* said, it was true that the Commissioners might be compelled to make their report within three months, but then it might be so crude and imperfect as to require further consideration. They had already an illustration of this in the "additional information," that it had been found necessary to obtain respecting the population of boroughs. That, however, was not the chief reason for his troubling the House with a few remarks. He wished to be allowed to say a few words respecting the Commissioners to be appointed. Although he by no means wished to attach a suspicion of unfairness to the gentlemen appointed as Commissioners, yet he thought he was perfectly justified in calling the attention of the Committee to the fact, that a very great proportion of those so named, were gentlemen who were publicly known to participate in the political sentiments of the present Government. There were at least sixteen of the number whom he could state to be more or less connected with his Majesty's Government, and friendly to Reform. He had no doubt, indeed, that the majority were persons favourable to that measure. He begged it might not be imagined that he was actuated by any sort of invidious feeling in making these remarks, for there were but two gentlemen on the list with whom he had any personal acquaintance, but without imputing the slightest degree of interested or improper motive, he would say, that persons so circumstanced must have a certain political bias, and it was idle to suppose that they could divest their minds of it.

Sir *John Wrottesley* could not help thinking it a very bold undertaking, particularly for a young man, and a young Member of Parliament, to assume to represent the opinions of gentlemen, with whom, at the same time, he acknowledged himself to be unacquainted. He knew many of the gentlemen named in the list to be men of high attaintments, and to be the farthest in the world from suffering themselves to be influenced by any political bias. But would his noble friend have done well to have selected men of a political bias the other way? Would he not, on the contrary, have subjected himself to much ridicule? And he (Sir John Wrottesley) would much rather see the measure meet with opposition than ridicule. All the gentlemen appointed were men of high character—a character of which they were as tenacious as the hon. Gentleman himself; that even if it could be supposed that they would be capable of any partiality, that and the other House of Parliament would have a remedy before the public could suffer any detriment.

Mr. *Wrangham* maintained the right of all, whether old or young Members, to comment on the list; the promulgation of it invited criticism. If his opinions, from a want of the experience of the hon. Baronet, were not as valuable, they were at least as honest.

Sir *John Wrottesley* said, he was ready to allow that as these names were brought before the House, they were a fair subject for criticism, and every hon. Gentleman had a right to comment on them. He only complained because the hon. Gentleman had commented on the names of persons of whom he knew nothing.

Lord *Althorp* said, that it was only from the hon. Member (Mr. Wrangham) he had for the first time heard of the political opinions of many of the proposed Commissioners. He believed, however, that the majority of them were favourable to Reform; and, indeed, it would be difficult to meet thirty-one gentlemen of intelligence out of that House, the majority of whom were not favourable to Reform. If the majority of the Commissioners were hostile to the measure, they would be the least fit persons that could be chosen.

Sir *Edward Sugden* said, that when the noble Lord called upon the House to adopt these names, the House had a right to canvass the opinions of the individuals. If he saw names in the list which were not known publicly to be qualified to perform the duties of Commissioners, he would not willingly adopt them. He must also say, that if gentlemen were proposed, to whom no remuneration was to be given, he could not help looking at the election of such persons with suspicion. The noble Lord could not suppose that those who engaged to perform the duties of Commissioners, ought not to be remunerated in some way or other. If they were not to receive compensation in money, they must receive it in some other way, and the expectation of remuneration was calculated to give a bias to their judgments. He wished for the nomination of persons who would act impartially between all parties and all interests.

Mr. *Baring Wall* suggested, that those members of the Commission who were barristers, should not go to the counties in the circuits in which they practised, and that those connected with particular counties should not go as Commissioners to those counties. There were some names on the list which he thought would not act well together. For instance, Mr. Bellenden Kerr and Mr. Davies Gilbert, than whom no two men could be more opposed to each other. He admitted that the first named gentleman was a man of considerable talents and acquirements; but at the same time he must say, that he was a most unaccommodating and unquiet individual. He meant nothing personal or disrespectful, but it was necessary, when the constituency of England was to be remodelled, that, at least, the Commons should be allowed to comment on the gentlemen by whom that important office was to be undertaken. There were particular objections to the gentlemen whom he had named, being employed to divide the county with which he (Mr. Baring Wall) was connected.

Lord *Althorp* had known Mr. Bellenden Kerr, and acted with him in a public society, and he had always found him an extremely active, intelligent, and useful man, and, in his opinion, not at all open to the objection which the hon. Member had made against him. It had been argued that the Commissioners should not divide any districts with which they were themselves connected, but this arrangement was left to themselves, as men of honour and character, acting under a heavy responsibility.

Mr. *Blamire* said, that the division of some of the counties could be as well effected by the Commissioners, by the aid of maps, in London, as by visits to the counties themselves, For instance, he thought that a division of his county (Cumberland) might be easily and speedily effected in that way, without giving the Commissioners the trouble of a journey down to it.

Mr. *Hudson Gurney* said, notwithstanding the opinion of the hon. member for Cumberland, he thought a personal knowledge and inspection of the counties to be divided absolutely necessary.

Mr. *Blount* stood up to defend his worthy friend Mr. Bellenden Kerr, from the charge made by the hon. Member opposite. He had been personally and intimately acquainted with Mr. Kerr for many years, and the attack made was as unjust as it was uncalled for. It was insinuated that he would cause strife among the Commissioners, which was a very odd sort of charge. He had no doubt the gentleman in question would perform any duty he undertook, conscientiously and firmly, and he would resist any impropriety, by whomsoever attempted.

Mr. *Baring Wall* asked whether Mr. Bellenden Kerr was brother-in-law to Mr. Gawler? (another of the Commissioners).

Mr. *Blount* replied, that he was not.

The original question was, to leave out all the words in clause 22 which follow the words "be it enacted," for the purpose of introducing other words; such other words consisting of clause 23 as originally proposed to be amended. The question now was, that the words proposed be inserted as part of the clause.

Sir *Charles Wetherell* begged to ask the noble Lord, if the districts to be taken by the Commissioners were to be determined by a majority of themselves.

Lord *Althorp* had before stated this was matter of arrangement to be determined on their own parts.

Question agreed to.

The Chairman then put the question, that "the names of the Commissioners (as read) be inserted in clause 23."

Mr. *Baring Wall* said, that he thought it was most important that the Commissioners should be persons of some standing, and such as the country could repose confidence in. Why was Mr. Mogg's name not in the list? He perceived in the list the names of some very young men: he thought this very injudicious. In fact, he could not imagine a selection less calculated to give public satisfaction than that which had been proposed. The noble Lord should give the House time to consider the character of the individuals proposed to act as Commissioners under this Act, before he pressed the list which had been read for the adoption of the House. He felt convinced that the candour which always characterised the conduct of the noble Lord would induce him to reconsider the subject. What, he would ask, would the people think of that list? Would they feel satisfied that the persons appointed were competent to discharge the important duties they would have to perform? He did not think they would. He did not mean to throw any imputation on those persons. They were, no doubt, very respectable individuals, but, notwithstanding, by no means competent, as far as he could form an opinion on the subject, to perform their duty to the satisfaction of the country.

Lord *Althorp* said, he would not deny that some of the proposed Commissioners were young men, but that circumstance did not, in his opinion, form a valid objection to their ability to discharge the duty they would have to perform in an efficient manner. Several of these gentlemen were engaged in the artillery and in the engineers, and were, in consequence, peculiarly fitted for the service for which they had been selected. He had no apprehension whatever that the proposed list would meet with the disapprobation of the public. He considered the few objections which had been taken to the list sufficient evidence that it was unexceptionable. He certainly never expected it would meet with the approbation of the hon. Member.

Question agreed to.

The question—"That sixteen of the Commissioners form a quorum, and that they make a report in writing to the House within three months after their appointment agreed to."

Clause 23rd as amended was then agreed to, and ordered to stand part of the Bill.

The Chairman began to read the 24th clause, when

Sir *George Warrender* said, that he wished to call the attention of the House to a notice of an Amendment which he had given on a former night, to the effect "That all boroughs which had more than 400 resident inhabitants should continue to return Members as heretofore." He took that opportunity to assure the House, that whatever opposition he had felt it his duty to give to the Bill, it was not his intention to throw any vexatious impediments in the way of the measure in its progress through the House. He still, however, remained of opinion, that towns which contained 400 electors would return as independent and free Representatives as any place in the kingdom, though, after the decision that had been come to in respect of these boroughs, he felt it would be useless to trouble the committee any further. He knew that his conduct in this regard had called forth the disapprobation of some young Members on his side of the House. He, however, as an independent Member of that House, did not seek to please them, but to do his duty. He would conclude by stating, that it was not his intention to press his Amendment.

The Chairman read the 24th clause, and put the question, that after the words "be it enacted" there be inserted "that the Commissioners have power to incorporate with any city or borough any parish adjacent to such city or borough, within the distance of one mile."

Mr. *James L. Knight* said, that the effect of this clause would be to give a very dangerous power to the Commissioners. For example, it would be in their power, if they thought fit, under this clause, to add to the borough of Marylebone, which was to be constituted by this Act (and which was already large enough), the parishes of Kensington and Chelsea. Such a power vested in those Commissioners might be attended with the most alarming consequences. It would invest them with an authority to alter the whole constituency of the country. He wished to know from the noble Lord opposite, if it was intended that the Commission should possess such powers.

Lord *Althorp* replied, that it would be extremely inconvenient to limit the powers of the Commissioners in particular places. He was quite sure there was no danger to be apprehended from allowing the clause to stand as it was at present.

Mr. *Tennyson* said, he was aware of the difficulty in limiting the power of the Commissioners in any particular place, but he thought they ought, in settling the new limits of boroughs, to have authority to separate from such boroughs any districts in which an undue local influence predominated. He was induced to express this opinion, because, in the borough he had the honour to represent (Stamford), a part of the town was situated across a river, and in another county; this was not within the limits of the borough, but if the Commissioners, in the exercise of their authority, should annex it to the borough itself, they would replace Stamford directly under the control of a noble Lord, to whom the chief part of the parish in question belonged. He therefore trusted, that as the borough at present contained a sufficient constituency, the Commissioners would not interfere with it in the way he had mentioned, which would have an effect wholly contrary to the principles on which the Bill was founded. Some caution ought to be given to the Commissioners, to observe generally, that their divisions or additions should be free from any undue controlling influence,

Lord *Althorp* could not agree in the opinion expressed by his hon. friend. He thought the Commissioners, to discharge their important duties properly, should enter upon them utterly ignorant, not only with respect to the localities of any borough, but of the influence that was prevalent in its vicinity. The only instructions Ministers would give were, that the Commissioners should perform their duties with the utmost impartiality, and according to the principles of strict justice. They would have little chance of giving general satisfaction, if they suffered such considerations as his hon. friend had alluded to, to influence their decisions.

Sir *Richard Vyvyan* said, that no speech had been delivered in that House which made more against the Bill than that which had just been delivered by the hon. Member opposite, he being a member of the Government which had proposed it. He fully agreed with the opinion of the hon. Member, and feared Stamford would not be the only place where undue influence might be apprehended. He knew something of borough representation, from being connected with Cornwall, and he was positive, that in many of the boroughs of that county, the plan of Government would open the door to the introduction of that sort of influence which the hon. Member hoped would not be exercised about the limits of his own borough, but with a different effect as to the parties concerned. It was, however, well that the noble Lord had dissented from the hon. Member's suggestion, but it showed that some of the members of Government were not disposed to be rigidly impartial to their political opponents. Among the gentlemen who were to be appointed Commissioners to execute such duties as the hon. member for Stamford had described, he regretted to see that there were some Members of Parliament. He had a high respect personally for these gentlemen, but he feared their knowledge and acquirements, as representatives of the people, rendered them peculiarly liable to be biased in their decisions. In making such appointments, the House should be particularly cautious. The Commissioners would, in fact, be similar to those appointed under the celebrated India bill of Mr. Fox, and almost as objectionable. There was no occasion to insert their names in an Act of Parliament. It appeared to be done to obtain undue influence. Suppose that a change of Ministry should take place, the persons who entered into office could have no voice in the appointment of these Commissioners for, being named in the Bill, their office was not derived from Ministerial authority. The whole clause with reference to these appointments, was hasty and injudicious, and would throw an immense power into the hands of the Ministers. As the hon. member for Stamford had remarked, unless very carefully and exactly administered, it would tend to place certain boroughs more under direct nomination than they were at present.

Lord *Althorp* said, that the Commissioners in the present instance would not be at all similar to those to whom the hon. Baronet had alluded. The Commissioners under Mr. Fox's bill were Commissioners for managing the whole affairs of India; they were to be permanent and independent of the Crown. Now the present Commissioners would be merely appointed to discharge the duties assigned to them in this Bill, and after they had performed those duties their office would cease, Colonel *Sibthorp* begged to take this opportunity to give notice, that on the bringing up of the report, he would move, that no Member of that House, or Member's son, should be appointed to fill the situation of a Commissioner for the purpose of deciding the division of the counties, or fixing the boundaries of cities or boroughs which it was determined by the Bill should be divided.

Mr. *Tennyson* said, his only object had been to express his anxiety that the Commissioners should exercise their duties with great care, and, in general, to avoid introducing predominating influences into any particular borough. Their object ought to be, to extend real Representation, and to be careful that any additions they made should not have a contrary tendency. His objection was made on the part of the whole people of England, as it might affect the new constituencies generally; and he repeated, if the Commissioners should take the course, at Stamford, to which he alluded, he would bring the matter under the consideration of Parliament.

Mr. *John Campbell* protested against the doctrine of the hon. Member. The Commissioners, in the exercise of their functions, should have eyes, but no ears. Their object and duties were, to include particular portions of towns to be annexed to boroughs, and, in the exercise of this power, they ought to decide without considering what particular election interests might be affected.

Mr. *Dixon* begged, as the hon. member for Stamford had declared he would, if there was any interference with the borough he represented, which he did not approve of, bring the matter under the consideration of the House, distinctly to say, he should oppose him; and if the Commissioners were to be liable to such imputations from one of the members of Government, the only way to relieve Ministers from the difficulty of their position would be, for the hon. Member to put an end to his official connexion with them, when, as a private Member, he might take what course he pleased.

Sir *Charles Wetherell* begged to congratulate the House upon the very decided manner in which the hon. member for Stamford had laid down the principle on which he desired the Commissioners to act, which he (Sir Charles Wetherell) scrupled not to say, would be a great perversion of their duty. An hon. member would say, "these Commissioners shall cut my borough as I like;" and then, up gets another and says, "I will have my borough divided in the way it suits me;" but the hon. member for Stamford insisted, that "his borough was not to be interfered with at all," and said he did this in justice to his constituency at that place. This was certainly an admirable way of putting the case; and he thought the House must agree with him, that the principle of the hon. Gentleman was totally at variance with every just ground on which the Commissioners ought to proceed. He believed the whole enactment was nothing more than a job under the name of Reform, and he had no doubt the observations of the hon. member for Stamford were quite consistent with the ideas of many Reforming Members of that House, although the noble Lord had expressly disclaimed such sentiments. Independent of this, however, he objected to the appointment of these Commissioners, because an unlimited and uncontrolled power was placed in their hands.

Mr. *Stanley* agreed with the hon. and learned Gentleman, that if the popular opinion was to be formed from the remarks of the hon. member for Stamford, that it would be adverse to the appointment of the Commissioners; but he was sure, that that matter would be completely set at rest, both as regarded the Commissioners and the public, by the unanimous expression of opinion which had now been given from both sides of the House, as to the line of conduct which those Commissioners ought to pursue.

Mr. *Tennyson* said, that in what he had suggested, he had not been influenced by private or personal motives or considerations. He had urged what he had stated, on behalf of his constituents and the people of England generally. He surely could not be suspected of personal motives, after the sacrifices some of his connexions had made.

Mr. *Lowther* thought, some of the members of Government were rather severe upon their colleague, the hon. member for Stamford, who had only abided by the rule which had been laid down, as a reason for adding 4,000 inhabitants to Whitehaven, which, in the debate on that part of the Bill, it was said by Ministers, would prevent Whitehaven from being improperly influenced. One district, it appeared, was passed over, and another added, to suit a particular purpose, which was found fault with when applied in another way, by the hon. Member.

Sir *James Graham* said, the hon. Member referred to a case which had been decided in a former debate. In that case, he (Sir James Graham) had stated, that he had so strong a feeling with regard to the influence of property as bearing upon the elective franchise, that he had recommended the borough which had been alluded to, should be extended, because it was notoriously the property of one noble individual, whose ancestor had boasted, that the inhabitants of that town could only claim one of the four elements as a right—that was air; fire, earth, and water, he had the complete disposal of. He had frankly declared, that if the town were left alone, and allowed to return one Member, that it would become a nomination borough, and he, therefore, wished the House to be very careful, when making a reform of the Representation, how it perpetuated or strengthened an abuse. The circumstance he had described ought not to be tolerated. He had, he presumed, answered the hon. Gentleman; and now, with respect to the question immediately before the House, he differed altogether from the view which his hon. friend (Mr. Tennyson) had taken of the line of conduct to be pursued by the Commissioners, and he quite coincided in the view which had been taken on that point by his noble friend, the Chancellor of the Exchequer.

Mr. *Lowther* said, if the right hon. Gentleman could find no better arguments than the idle boast of an ancestor of his, all he could say was, that was no answer to the objections he had urged.

Lord *John Russell* was quite sure that in what his hon. friend, the member for Stamford, had stated, he had not been influenced by any personal feelings or considerations, but that he was merely anxious to express the sentiments of his constituents.

Mr. *Curteis* said, that part of this clause seemed to him to militate against the principle on which this Bill professed to proceed. It would appear as if the Commissioners, in the exercise of the very considerable power with which they were to be intrusted, might, if it suited them, omit the agricultural parishes in the local divisions they made, to the entire exclusion of the rural population.

Lord *Althorp* assured the hon. Gentleman, that he misunderstood the clause. The Commissioners had no power whatever to skip over any agricultural parishes.

Mr. *Curteis* said, then the clause was not properly worded, and he must recommend that some alteration should be made, so that the country gentlemen might understand it.

Lord *Althorp* said, that he thought no words could be plainer. They were—"The said Commissioners, or any sixteen of them, shall have the power, if they think fit, to settle, for the purposes of this Act, the limits or boundaries of the several boroughs mentioned in the schedules hereunto annexed."

An *Hon. Member* begged to inquire, whether any limit was to be set to the districts to be included, or whether it depended on the discretion of the Commissioners to include any proportion they thought proper.

Lord *Althorp* said, in reply, that any division the Commissioners thought proper to include, for the purposes of this Act, would become part of the town.

Sir *Charles Wetherell* wished to ascertain, if it was in their power to make a place as large as they thought proper, or could they contract it at their pleasure?

Sir *Richard Vyvyan* suggested, that it would be better to appoint a Committee of the House to decide upon the decisions of the Commissioners. How could the House itself decide upon upwards of 300 cases?

Lord *Althorp* considered the appointment of a Committee unnecessary. The House could certainly find time to hear any appeals that were made to it.

Sir *Charles Wetherell* asked, if there was to be a separate report made on the case of each borough?

Lord *Althorp* said, there was.

The *Chairman* said, the question was, that the words proposed be inserted after the words "be it enacted."—Agreed to.

Verbal Amendments were agreed to, and the Question, that "Clause 24, as amended, stand part of the Bill," also agreed to.

Lord *Althorp* moved, that the Chairman do report progress, and ask leave to sit again.

Mr. Alderman *Wood* thought, that they ought then to proceed with the two next clauses; as they formed only a portion of the clause to which they had just agreed it was not likely that they would provoke any discussion. The fact was, that people out of doors were quite dissatisfied with the slow progress of the Bill, and they should endeavour to proceed at a somewhat more rapid pace, if possible.

Sir *Charles Wetherell* said, that it was now more than half-past one o'clock, and though the worthy Alderman and his friends might remain, he would certainly go out of the House; and the worthy Alderman, and his friends out of doors, might express what dissatisfaction they liked with his personal conduct.

Lord *Althorp* felt bound, in pursuance of the contract originally made on the subject, to stop at that hour of the morning.

The House resumed: the Committee to sit again the next day.

The Coronation.] Mr. Bernal brought up the Report of the Committee of Supply.

On the question that the Resolution be agreed to,

Mr. *James* protested against the grant of 50,000*l.* for the expenses of the Coronation. He thought, that in the present impoverished state of the country, it was a shameful waste of the public money to vote so large a sum. He thought, that 5,000*l.* was amply sufficient. Our difficulties were so great at the present moment, that we could not venture to go to war, however we might be insulted by foreign Powers, because Government knew, that the first shot which might be fired against England would be the signal for wiping out the National Debt. Under such circumstances, it became us to husband our resources in time of peace.

Resolutions agreed to.

HOUSE OF LORDS,

Friday, September 2, 1831.

Minutes.] Bill. Brought in by Lord Plunkett, for the better execution of Decrees and Orders made by the Courts of Chancery in England and Ireland respectively.

Petitions presented. By the Duke of Richmond, from certain Catholics in Ireland for an equalization of Civil Rights.

Ecclesiastical Courts and Privilege of Parliament.] The *Lord Chancellor* rose, pursuant to notice, to call the attention of the House to the subject of the Process of the Ecclesiastical Courts, as far as Members of Parliament were concerned, and to state the nature and object of a Bill which he was about to introduce relative to that subject. The Bill would have the effect of trenching, to a certain extent, on a privilege now enjoyed by their Lordships, and the Members of the other House of Parliament; but he was persuaded that it was a sort of privilege which both their Lordships and the Members of the other House would willingly waive. One part of the Bill went to equalise the ecclesiastical processes in this country and Ireland; but that was a matter of minor importance, and he would, therefore, proceed at once to explain to their Lordships that part of the Bill which was the most important. Their Lordships were aware, that one mode by which a creditor was enabled to recover his debt by common-law process was, by the arrest of the person of the debtor on mesne process, or in execution on a judgment. This was one mode by which the creditor was enabled to work out the payment of his debt, which was the object of the process of arrest. But their Lordships were also aware, that persons having privilege of Parliament, whether Members of this or the other House, and persons having the privilege of the Peerage, whether they had a seat in their Lordships' House or not, were exempt from arrest on mesne process. The Courts of Law had gone further in their respect for this privilege of Parliament; for where a Member of Parliament was guilty of what was commonly called Contempt of Court, in disobeying the orders of the Court, although this was considered as rather in the nature of a criminal act, yet even then the Court did not proceed against the person of the Member of Parliament. In the case of persons not entitled to this privilege, where, for example, they refused to obey an award which was made an Order of Court, the common proceeding to compel obedience was, by attachment of their persons for a contempt of Court. But, although this species of contempt was considered as in the nature of a crime, yet the matter being really and substantially of a civil nature, the Court, in the cases of those having privilege of Parliament, did not proceed by attachment of the person. So, when a bill was filed in a Court of Equity, the party defendant was compellable to put in an answer by a process of Court, attaching his person for contempt of Court; but this remedy could not be had against persons having the privilege of Parliament, who might, therefore, be considered as exempt from civil process, both at law and in equity. To remedy this, some Acts were passed subsequent to the Revolution, one in the reign of William 3rd, and another in the reign of George 3rd, by which Members of Parliament are made compellable to obey and answer by distress and sequestration of their property, their persons being, of course, still held to be exempt. This was the practice of this day, which left the personal security of Members of Parliament inviolate, but, at the same time, placed them in such a situation with respect to their property, that it could not be said that their privilege of Parliament set them above the law. This, then, was the situation in which the processes of the Civil Courts of Law and Equity stood with respect to persons having privilege of Parliament. But the process of the Ecclesiastical Courts, or Courts Christian, stood on a very different footing. At first, the only mode which these Courts had of enforcing obedience to their orders or decisions was, by the process of excommunication, which answered the purpose for a time, but afterwards, as Mr. Justice Blackstone said, excommunication became a *brutum fulmen*, and it was found necessary to resort to the assistance of the Civil Courts, in order to carry the sentences of the Ecclesiastical Courts into effect, and this was done by means of the writ *de excommunicato capiendo* out of the Civil Court, upon a *significavit* from the Ecclesiastical Court, that the party had been excommunicated. That remained the only process by which the sentence of the Courts Christian could be enforced, until the simpler process, introduced some years ago by the Act commonly called Lord Stowell's Act, which put an end to the cumbrous and awkward process of the excommunication and writ *de excommunicato capiendo*, and placed the process of the Ecclesiastical Courts upon much the same footing as those of the Civil Courts. But it so happened, that in that bill no care was taken to include the cases of such persons as had privilege of Parliament. The Ecclesiastical Courts had proceeded, not against the body or the property of a party, but against his soul; and then the Bill of Lord Stowell took away the process against the soul, and, as far as respected Members of Parliament, substituted nothing in its stead, so that at present such persons were completely exempt from the process of the Ecclesiastical Courts. This monstrous privilege, was enjoyed by about 1,000 individuals, Members of this and the other House, who were, therefore, as far as the process of the Ecclesiastical Courts was concerned, absolutely free and exempt from, and above the laws, and the question was, whether this was a state of things which ought to continue. It might be true, that their Lordships were not very likely to do anything that could bring them within the scope of Ecclesiastical cognizance. But the Ecclesiastical Courts had the jurisdiction to decide in cases of marriage and divorce; and not only in these, but in many other important cases; and when suits were instituted against persons having privilege of Parliament, the Courts Christian had no means to compel them to obey one of its orders. If a suit were instituted for a divorce, the person against whom it was instituted, if he had privilege of Parliament, could not be compelled to appear. But this was not all. Suppose a suit to be instituted for a declarator of nullity of a marriage, it might, in the case of one having privilege of Parliament, be stopped *in limine*, as the Court had no power to compel an answer; and yet upon this might depend questions of legitimacy and bastardy, which must regulate, not merely the descent of property, but of honours—questions which, owing to the present defect in the process, it might, in many instances of the last importance, be found impossible to try. The same observations applied to cases of divorce and adultery, as to cases of nullity of marriage. It was true, that it seldom happened in their Lordships' persons, that any occasions occurred for such proceedings in the Ecclesiastical Courts, but, at the same time, such things might happen, and that was sufficient reason for providing the proper remedy in case they should occur. There was one thing, however, from which neither their Lordships, nor Members of the other House, were exempt, and that was death, and from death often arose suits connected with wills, to be proved in the Ecclesiastical Courts. Now the existing defect of process, rendered it impossible for the Ecclesiastical Court to compel the proper party, in case he had privilege of Parliament, to bring a will into Court and prove it. Suppose a father, by will, leaves a large personal property to the second son, and that the elder is the proper person to bring in and prove the will, the Court can, on a proceeding by the second son, compel the elder brother to bring in and prove the will. But, suppose the elder brother has privilege of Parliament, he has the will in his power, and it is impossible for the Court to compel him to bring it in. He may laugh at the Court and at his brother, and even though he should be guilty of open contempt of Court (unless the contempt should be accompanied by a crime, as happened in a late case in the Court of Chancery, where privilege did not protect the party), the Court could not proceed against him. By this means, personal property, to the extent of thousands or of millions, might be kept from the party entitled to it, and retained by a party having no title to it, and whose interest it was, that the will should never be proved or estimated. He might state many other cases in which the most flagrant injustice would be the consequence of this want of power in the Ecclesiastical Courts to proceed against Members of Parliament, but he had stated enough to show that some remedy was indispensable. The privilege was monstrous, and it was the more so when one considered that, in these matters, the Courts Christian were Courts, not of concurrent, but of exclusive, jurisdiction, and were, therefore, the only Courts where redress could be had. He might mention one other instance of the injustice which might result from this defect of the process. The Court might think proper to decree against a person having privilege of Parliament for alimony to be paid to his wife, and for costs of suit—suppose 3,000*l.* a-year for alimony, and 10,000*l.* for costs of suit—but not a farthing could the Court compel him to pay. If he was a Member of Parliament, whether for Yorkshire or Old Sarum, no matter, he might set the Court at defiance, and decline to pay the least regard to its sentence. One word more as to the kind of persons whose affairs were most likely to come into Doctors' Commons. They were persons of property, and the larger their property, the more likely they were to come under the cognizance of the Ecclesiastical Courts with respect to bills. He had said enough to show how very material it was, that this monstrous privilege should be done away, and he ought to have brought in a Bill for the purpose long ago, and would have done it had he not waited for a Report of the Ecclesiastical Commission. The Commissioners had, in point of fact, decided on this matter in conformity with his views, but he was apprehensive that their Report could not be laid on their Lordships' Table in sufficient time to render it possible to get a Bill founded upon it passed in the course of the present Session, and, therefore, he introduced the Bill now. Having thus stated the nature of the grievance, he would proceed to state the remedy provided by this Bill, and that would be done in a few words. It consisted in extending to the Ecclesiastical Courts the same remedy which the old Statutes, already mentioned, had given to the Courts of Equity and Common Law. The person of the Member of Parliament was to be exempt from arrest or attachment, but the Court was enabled to enforce obedience to its orders and decrees, by distress and sequestration of the property of the contumacious party. This was the amount of the proposed remedy, and he could not anticipate that there would be any objection to it in any quarter whatever.

Bill read a first time.

DUTIES ON CAPE WINES.] Lord *Ellenborough*, in presenting, according to notice, the Petition of the Merchants and Shipowners of London, interested in the prosperity of the Cape of Good Hope, against the proposed alteration in the Duties upon Wine, was happy to find, that it was not necessary to occupy much of their Lordships' time upon the subject of this petition, as he understood his Majesty's Government had withdrawn the most objectionable part of their proposed measure. He was aware that the wine imported from the Cape of Good Hope would scarcely bear the duty of 2*s.* 9*d.* per gallon, which his Majesty's Ministers still intended to impose. But the apprehensions of the petitioners had been chiefly excited by the intention entertained by his Majesty's Ministers, to obtain a pledge from Parliament, that in the year 1833 the duty upon Cape wine should be raised to an equality with that upon the wines of France. As this intention had been very prudently abandoned, he felt that it was unnecessary for him to trespass upon their Lordships with any further observations.

Viscount *Goderich* admitted that an

Act had been introduced in the other House of Parliament for the purpose of equalizing the duties upon all wines imported after the year 1833. This was certainly the intention which his Majesty's Government had entertained, and if the measure had ever come into discussion in that House he should have been prepared to defend it; but at the same time, his Majesty's Ministers had thought it right to listen to the representations of the persons most immediately interested. It was now proposed that the duty upon Cape wines should be raised from 2*s.* 5*d.* to 2*s.* 9*d.*, and he hoped this very moderate augmentation of duty would not produce any injury to the colony. At the same time, he felt it his duty to relieve the colonists as much as possible from every other tax or restriction which pressed upon them, and impeded their prosperity. This they had a right to expect. He felt assured that the small duty now to be imposed could not have the effect of restricting cultivation; while he also felt it his duty to himself and his colleagues to say, that the proposition first introduced was not at all liable to the objections which had been urged against it, however natural it might be for the persons interested to advance them.

Lord *Ellenborough* suggested, that the noble Lord, before he recommended any alterations, ought to extend his inquiries into all the details and regulations of the trade of the Cape of Good Hope. It was worthy of attention, that ships of the United States engaged in the trade to India and China, and were allowed to call at the Cape for refreshment, but not for the purposes of commerce.

Lord *Caledon* suggested, that the noble Lord ought to attend to the exclusive interests of the Cape itself, as well as to its interests taken in connection with those of this country. The Cape petitioners would not be satisfied without having the duties imposed at a rate *ad valorem*.

Viscount *Goderich* observed, that it had been his endeavour to attend to, and promote the interests of the colony.

Petition laid on the Table.

HOUSE OF COMMONS,

Friday, September 2, 1831.

MINUTES.] Bills brought in. By Mr. GRATTAN, for the Relief of the Poor in Ireland in certain cases. Read a second time; Clare County Presentments; Commissioners of Accounts, (Ireland.) Committed. Administration of Justice (Ireland.)

Returns ordered. On the Motion of Mr. WALLER CAMPBELL, of the number of gallons of Spirits distilled, and upon which duty has been paid in England, Ireland, and Scotland, respectively, in each year, from 1825, to 5th January last; specifying the quantities of such Spirits produced from a mixture of Malt and Grain, and the quantities distilled from Malt, upon which the allowance upon Spirits made from Malt only in Ireland and Scotland has been paid, the measure and strength of such Spirits, and the rate of duty charged thereon; of the number of bushels of Malt manufactured from Barley, and from Bear or Bigg, respectively, brought to charge in Scotland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt imported from England and Ireland, respectively, into Scotland, from 5th January, 1830, to 5th January, 1831; of the number of bushels charged as "deficient Malt," in respect of the excess production of Malt Spirits, above the required proportion of two proof gallons of such Spirits for every bushel of Malt so used in distillation, in Scotland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt used by the public Brewers and Vinegar-makers, respectively, in Scotland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt (if any) exported from Scotland to England and Ireland, respectively, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt used in the production of Malt Spirits in Scotland, and upon which Spirits a drawback of 1*s.* 2*d.* per gallon was paid, or payable, betwixt 5th January, 1830, and 5th January, 1831; of the number of proof gallons of Malt Spirits upon which the drawback was paid or payable; together with the number of proof gallons of raw Grain Spirits upon which no drawback is allowed; distinguishing the one from the other, and shewing the total quantity brought to charge in Scotland, betwixt 5th January, 1830, and 5th January, 1831; of the number of bushels of Malt manufactured from Barley, and from Bear or Bigg, respectively, brought to charge in Ireland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt imported from England and Scotland respectively into Ireland, from 5th January, 1830, to 5th January, 1831; of the number of bushels charged as "deficient Malt," in respect of the excess production of Malt Spirits above the required proportion of two proof gallons of such Spirits, for every bushel of Malt so used in distillation, in Ireland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt used by the public Brewers and Vinegar-makers respectively, in Ireland, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt (if any) exported from Ireland to England and Scotland, respectively, from 5th January, 1830, to 5th January, 1831; of the number of bushels of Malt used in the production of Malt Spirits in Ireland, and upon which Spirits a drawback of 1*s.* 2*d.* per gallon was paid, or payable, betwixt 5th January, 1830, and 5th January, 1831; of the number of proof gallons of Malt Spirits upon which the drawback was paid or payable; together with the number of proof gallons of raw Grain Spirits upon which no drawback is allowed; distinguishing the one from the other, and shewing the total quantity brought to charge in Ireland, betwixt 5th January, 1830, and 5th January, 1831; of the number of bushels of Malt charged with duty in England, Ireland, and Scotland, respectively, in each year, from 1825, to 5th January last; of the number of bushels of Malt imported or brought from England, Ireland, or Scotland, respectively, to each of the three countries (so far as such account can be made up), in every year from 1825, to 5th January last; of the number of bushels of Malt used in distillation in Ireland and Scotland, respectively, upon which the drawback on Spirits made from Malt only has been paid in each year, from 1825, to 5th January last; specifying the number of bushels of deficient Malt charged with duty on account of the excess production of Malt Spirits above the required proportion of two gallons of Spirits for every bushel of Malt so used in distillation; of the sum paid by the Excise in each kingdom for Saccharometers and repairing Saccharometers, to whom, and, if more than one, the sum to each, and at what rate to each, both for new ones, and for repairing, in each year from 5th July, 1823; and the same accounts for sums paid for Hydrometers by the Excise, and likewise by the Customs, for Hydrometers, in each of these years, from 5th July, 1823. On the Motion of Mr. Hume, of the quantities of unrefined Sugar retained for home consumption in the United Kingdom, during each of the years ending 5th January, 1815, to 1831 (both inclusive); distinguishing the quantities of British plantation, of Mauritius, of East India, and of Foreign plantation, entered for home consumption, or for being refined for exportation, the rate of duty levied on each description respectively, the net amount of duty annually received on the whole, after deducting the drawback on British refined Sugar exported, and re-payments for over-entries; together with a statement of the average prices of British Plantation Sugar, exclusive of duty, by the *Gazette*, for every year, so far as the Returns made in the last respect admit of; a similar account for the four half years ending 5th July, 1828, 1829, 1830, and 1831

Petitions presented. By Mr. Alderman Wood, from the Watermen's Company, in favour of the Steam Vessels Bill; by Mr. A. Lefroy, from the Inhabitants of Mountmelick and Ballycormick, for the continuance of the Grant to the Kildare Street Society; by Mr. Sadler, from the President of the Manchester Co-operative Society for the Repeal of the Stamp duties on Newspapers and Pamphlets; from the Inhabitants of Selby, against inflicting Death on Persons convicted of Forgery; from the Parish of Ballybutton King's County, in favour of a legal provision for the Poor of Ireland, by Mr. Crampton; from the Protestant Inhabitants of Lewis Island, praying that the Franchise of Galway might be equally open to Catholics and Protestants; by Mr. Charles Tyrrell, from the Owners and Occupiers of Land in Bury St. Edmonds, Maltsters and Corn Merchants of Ipswich, Woodbridge, Stowmarket, and places adjacent; from the Agriculturists, Maltsters, and Merchants of Ipswich, against the use of Molasses in Breweries and Distilleries; by Mr. Moreton, from the Inhabitants of Uley, and Wootton Underedge, against the Settlement of the Poor Bill; by Lord Killeen, from the Inhabitants of the united Parishes of Johnstown and Walterstown, against any further Grants to the Kildare Street Society; and from the Roman Catholic Bishops of the province of Ulster, with a similar prayer by Mr. Hodges, from the Minister, Churchwardens, and Inhabitants of Greenwich, for preventing Steam Vessels above forty tons going above that town.

OBSERVANCE OF THE SABBATH.] Mr. *Littleton* presented three Petitions from bodies of tradesmen in London, on a subject which he conceived to be of considerable importance. The petitioners, who were butchers, bakers, poulterers, undertakers, grocers, tailors—in all, no less than thirty trades, complained, that the law for exacting a due observance of the Lord's day was becoming daily more and more relaxed in its operation. The consequence was, that the petitioners were either obliged to deny themselves the rest which the Sabbath was meant to afford, or to lose a portion of business, which would be carried on by other tradesmen, less scrupulous than themselves. The petitioners wished that the penalties for an infraction of the law should be increased, and they hoped that some means might be devised to compel masters to pay their workmen at an earlier hour than they now did. He gave his support to the petition, and must observe, that if the law as it existed were good, it ought to be enforced, and if bad it ought to be rectified.

Mr. *Wilks* supported the petition. If there was no religious injunction on the subject, regard for the health, happiness, and morals of the people would suggest the propriety of keeping holy the Sabbath day. At present the penalty for infraction of the law, was only 2*s*. 6*d*., and one penalty only could be recovered, however many times an individual might violate the law in one day. The offence was also very difficult of proof.

Colonel *Torrens* supported the petition, not merely on religious, but also on civil grounds. Labour, like every other commodity, bore a value in the proportion of the supply to the demand, and if the people worked for seven days instead of six, the price of labour would fall in proportion, and they would receive no more for their labour. The seventh day, therefore, was a clear and substantial gain to them if they did not work on that day. He hoped some regulation would be adopted for enforcing a more strict observance of the Sabbath.

Mr. *Hunt* thought, that the law as it at present stood was quite sufficient for its object. He should resist any increase of penalties, and he objected to any attempt at legislation for the purpose of compelling individuals to pay their workmen at particular times. Tradesmen were often obliged to run half over the town, at one or two o'clock, to get bills discounted, in order to pay those employed by them.

Mr. *John Weyland* did not think, that the infliction of larger penalties would produce the desired effect, and cause the Lord's day to be properly respected. All through life he had observed, that in cases of this nature the only remedy was a moral remedy.

Mr. *Sadler* said, there were higher considerations than the price of labour to enter into this discussion. Nature required one day's rest in seven; the soil we cultivated demanded repose, which was still more necessary to the human race. Some regulations ought to be enforced to prevent labourers being paid on Saturday. He hoped the hon. Member who had presented the petition, and who had already distinguished himself by his attention to the labouring classes, would consider the subject. He had no desire to enforce the observance of the Sabbath by legislative penalties, but he wished, that it should be really a day of rest and religious observances.

Mr. *Littleton* said, in answer to what had fallen from the hon. member for Preston, that he had not stated any intention of legislating on the subject.

Petition to be printed.

DISTRESS IN THE MANUFACTURING DISTRICTS.] Mr. *Sadler* presented a Petition from the Weavers of the township of Aclington, in the county palatine of Lancaster, complaining of the extreme distress to which they were subjected; and two others from the Cotton-spinners of two parishes in Lancashire, against the exportation of cotton-twist. The petitioners stated, that they were reduced to the most destitute state. They were prisoners in their houses on the Sabbath day, for want of decent raiment to appear in. He was sorry to say, that he could bear testimony to the truth of the allegations of the petition. He had received a letter from an individual, who appeared to be a very intelligent man, who stated, that by the greatest efforts of industry, he could not earn more than 6*s.* per week, which was totally inadequate to the support of himself and family, and that, in consequence, he could not much longer abstain from seeking parish relief. He hoped the present Government would take some efficient means to improve the depressed state of the working classes.

Mr. *Hunt* said, these unhappy petitioners were worse off than the persons confined in a gaol, who were sure to be fed, and many persons had actually been guilty of offences to be committed to prison rather than endure the hardships they suffered out of it. Many of those poor weavers earned no more than 4*s.* or 5*s.* a-week for the support of themselves and families. He believed they were more distressed than the Irish, of whom they heard so much.

Mr. *Sadler* said, he feared, indeed, that prisoners in gaols were better fed than the petitioners. He had been assured that some of them would be unable to sustain their families much longer without relief.

Petition to be printed.

COAL METERS (DUBLIN).] Mr. Crampton presented a Petition from the Merchants, Traders, Citizens, and other Inhabitants of Dublin, for the continuance of the Coal Meters' Establishment.

Mr. *Henry Grattan* said, the Coal Meters' Establishment had increased the price of coals in Dublin, and the meters themselves were under the power of political partizans, who often treated them with great severity if they dared to exercise their franchise independently.

Mr. *O'Connell* said, the Coal Meters were to be left to make out their own claim, if they had any, which he believed they had not, but this subject was in some degree connected with the Court of Conscience in Dublin, which it was necessary to restrain from pronouncing on those rights. This Court was an intolerable abuse. One Alderman of the city pocketed 1,500*l.* a-year out of the two-penny summonses of that Court, and there was no appeal from its decisions but to the Court of King's Bench.

Mr. *Crampton* said, the Coal Meters Establishment had existed 300 years, and had been recognized by various Acts of Parliament. Their claim for compensation arose from ancient privileges, and he had been assured their exertions had produced a revenue of 8,000*l.* or 9,000*l.* to the public. If this was the case, they were entitled to some remuneration.

Mr. *O'Connell* said, if these persons had any claim for by-gone labour, their cases ought to be considered, but the mere fact of their being no longer employed, gave them no right to remuneration.

Petition to be printed.

MARRIAGES BETWEEN PROTESTANTS AND CATHOLICS.] Lord *Killeen* presented a Petition from a parish in the county of Meath, complaining of the state of the law regarding Marriages between Catholics and Protestants. He said, that the hon. member for Kerry had introduced a bill last year relative to this subject, which he understood was deferred, that it might not interfere with the progress of the Reform Bill. Many cases of great hardship occurred in consequence of the illegality of a marriage celebrated by a Catholic Priest between a Protestant and Catholic. He knew an instance of a woman professing the Protestant religion, who had been married to a Catholic, who afterwards deserted her, and left her and her family in a state of destitution. Such instances of cruelty ought to induce the House to render such marriages legal.

Mr. *Henry Grattan* said, the law in this regard was unjust and absurd, and attended with the most serious inconveniences. Morality did not require that these marriages should be performed exclusively by Protestants. He felt it his duty to support the prayer of the petition.

Mr. *O'Connell* said, that he brought in a bill last year to amend the law of marriage, not only with regard to Catholics, but also to Dissenters. The law pressed severely upon Quakers. It had an effect upon the right to receive relief from the Poor-laws, the children of these marriages being illegitimate by law. The late Ministry gave him (Mr. O'Connell) leave to bring in the bill, but at the same time expressed their determination to oppose it; under those circumstances he thought it useless to persevere in his intention. He thought it a great injustice, that the Priest should be liable to a penalty of 400*l.* unless he knew he was infringing the law and in many cases it was impossible for him to know the religious opinions of the parties who presented themselves to be married.

Sir *John Newport* said, it was quite impossible the law should remain as at present. He should be ready to give all the assistance in his power to any measure calculated to improve it.

Mr. *Wilks* said, it was impossible to suppose but that the present state of the law must before long, undergo the serious consideration of the House. The bill which Mr. O'Connell had introduced attracted considerable attention in Northamptonshire, and various resolutions had been come to in different places in that county, deprecating the injustice of the law, which referred not only to the Catholics, but to the great body of the Dissenters. The power which this law had to bastardize the children of such marriages, was most unjust and inconvenient. He thought that marriage should be considered as a civil contract, as it was in France, and in other parts of the Continent.

Sir *John Bourke* assured the House, that the penalty to which Catholic clergymen were liable for celebrating those marriages was equivalent to perpetual banishment, as it was well known there was scarcely one of them able to pay so large a fine.

Mr. *Ruthven* was convinced that the state of the law had a most injurious effect on persons who by their industry might have raised themselves from an humble station to affluence. Such marriages, which the law called illegal, were frequent in Ireland, and the effect on the persons interested was most serious and inconvenient; the children being illegitimate, were incapable of inheriting their property should they die intestate. The best remedy for this inconvenience would be, to make marriages celebrated by Catholic clergymen valid.

Dr. *Lushington* said, it was impossible the clergyman could know the religious opinions of all the persons who might come to him to get married. Such a law could not exist eight-and-forty hours in England. He would not undertake to say what remedy should be adopted to cure the evil. He however hoped the Government would take the subject into its serious consideration, and afford a speedy and effectual remedy.

Lord *Killeen*, on moving that the petition be printed, said, that the ordination of a Catholic clergyman was considered valid in the Protestant Church, and he thought it a great anomaly that when his ordination was good, he should not be considered competent to celebrate a marriage.

Colonel *Perceval* said, great evils resulted from the operation of the law as it now stood. Marriages between Catholics and Protestants by a Catholic Priest, being illegal, were easily set aside. He had known instances of Catholic Priests having married, divorced, and re-married the same persons within the space of three or four years.

Mr. *O'Connell* said, the hon. Gentleman had passed a severe censure on himself, for he must know, that the moment a Catholic Priest married a Protestant to a Catholic, he violated the law, and as a Magistrate the hon. Member was bound to notice it. With respect to what he had been pleased to remark with regard to divorces, no Catholic Priest had authority by law to divorce parties, and if such had been the case, and they had again married, they were guilty of bigamy, and liable to transportation. The Catholic clergy were exemplary in the discharge of their duties, and he was inclined to think the hon. Member had made an exaggerated statement.

Colonel *Perceval* said, because he pointed out a particular instance of misconduct, which had come under his own notice, he had no intention to speak disrespectfully of the whole body of the Catholic Clergy.

Petition to be printed.

BELGIC NEGOTIATIONS.] On the question "that the House resolve itself into a Committee on the Reform Bill,"

Sir *Richard Vyvyan* said, that he had given notice to his noble friend (Viscount Palmerston), the Secretary for Foreign Affairs, of his intention to ask a question relative to the Protocols which had been published in the newspapers to-day. As, however, his noble friend was not present, he must throw himself upon the courtesy of the Chancellor of the Exchequer for an answer. Every Gentleman, no doubt, had seen the Protocols to which he referred, in the daily papers. They were four in number—the first being dated the 6th of August, and the last the 23rd of August. The fourth was the most important one. In that the Plenipotentiaries agreed to propose to the government of his Majesty the King of the Netherlands, and to the Belgian Government — "The establishment of a suspension of hostilities for six weeks. This suspension to be placed under the guarantee of the five Powers, and if one of the two parties should violate it, that party to be considered in a state of hostility to the five Powers. During the suspension of hostilities, the respective troops are to remain beyond the line that separated them before the resumption of the hostilities." In the preceding part of the Protocol it was stated, "That the Plenipotentiaries had received official information of the withdrawal of the Dutch troops into the territory of Holland." Supposing these Protocols to be genuine, he must observe, that when it was asked in that House, whether an assurance had been given by the French Government, that as soon as the Dutch troops had withdrawn into their own territory the French troops should be recalled, it was answered by his noble friend (Viscount Palmerston) that such an assurance had been given. He thought, therefore, that the question he was about to put was one in which the character of this country was deeply involved. If any number of French troops, however small that number might be, were allowed to remain in Belgium after the withdrawal of the Dutch troops into Holland, he must say, that, in his opinion, our Government would have to answer for conduct which he would not trust himself with language to describe. The questions which he had to put to the noble Chancellor of the Exchequer were these;—First, were these Protocols genuine? Second, had the armistice spoken of in the last Protocol been acceded to either by Holland or Belgium, by both, or by either of them? Third, had the French government renewed the assurance that their forces should be withdrawn from Belgium, and would the performance of that assurance be insisted upon, if Holland should accede to the armistice? He would only add, that it was natural to expect an answer to these questions, inasmuch as they read every day in French and in English papers that the French had formed a camp at Nivelles, and that there was to be a French army of occupation in Belgium.

Lord *Althorp* said, that the hon. Gentleman had referred to documents, professing to be Protocols, which had appeared in the newspapers, and asked him if they were genuine. He could assure the hon. Gentleman that he had not had time to read the newspapers, and he could not, therefore, answer the question. However, he had no hesitation in saying, that there were Protocols answering the description of the documents which the hon. Gentleman had described as appearing in the newspapers. As to the other questions of the hon. Gentleman, they were like other questions which had been put upon the same subject; that was to say, questions which, if a Gentleman wished to involve this country in a war, were the questions most likely to effect the consummation of that wish. He hoped the hon. Gentleman would excuse him if he gave no answer at all to those questions.

Sir *Richard Vyvyan* must repel the insinuation that he wished to involve the country in a war. The questions which he had put were questions of fact, and questions which involved the honour of the country. He had seen it stated in a speech delivered by a Minister in the Chamber of Deputies, that all the French troops were not to be withdrawn from Belgium; and after what had fallen from his noble friend (Viscount Palmerston) on this subject, he had thought it right to ask these questions of a British Minister in the House of Commons.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-SIXTH DAY.] The House resolved itself into a Committee on the Reform of Parliament (England) Bill.

Colonel *Wood* gave notice, that he should take the sense of the Committee with regard to his views of registration upon the 29th clause being proposed.

The 25th clause, as it originally stood in the Bill, was erased, and the following in its place was put and agreed to without discussion.

"And be it enacted, that one of his Majesty's principal Secretaries of State shall forthwith cause copies of such reports to be laid before both Houses of Parliament, if then sitting, or if not sitting, then within ten days after their sitting; and in case both Houses of Parliament shall vote Addresses to his Majesty, praying his Majesty to issue his royal proclamations for making known the reports of the said Commissioners, it shall be lawful for his Majesty to issue such his royal proclamations accordingly, from the date of which respective proclamation, every county enumerated in the said schedule (G) shall, for the purposes of this Act, be and remain divided into two divisions, according to the determination of the said Commissioners; and each division shall return two Knights of the Shire to serve for the same in all future Parliaments; and every county or division of a county shall, for the purposes of this Act, include any portions of any other county that may have been incorporated therewith by the determination of the said Commissioners; and every such city and borough as aforesaid, shall, jointly with the whole or any part or parts of any parish, township, or place, parishes, townships, or places, that may have been incorporated with such city or borough, or with any place sharing in the election for such city or borough, by the determination of the said Commissioners, be a city or borough for the purpose of electing a Member or Members to serve in all future Parliaments; and the limits and boundaries of every borough mentioned in the said schedules (C and D) shall be and remain as ascertained and declared by the said Commissioners; provided always, that in case either House of Parliament shall, instead of voting an Address to his Majesty, in any of the cases hereinbefore mentioned, vote, that both or either of the said reports of the said Commissioners shall be referred back to the Commissioners to be by them revised and amended, in such case the said Commissioners, or any sixteen of them, shall be, and they are hereby authorized and required to revise and amend the report or reports so referred back to them, and immediately after the revision and amendment thereof, to cause the same, so revised and amended, to be laid before both Houses of Parliament, if then sitting, or, if not sitting, then within ten days after their sitting; and in case both Houses of Parliament shall vote an Address to his Majesty, praying his Majesty to issue his royal proclamation, or proclamations for making known the report or reports so revised and amended, it shall be lawful for his Majesty to issue such his royal proclamation or proclamations accordingly; from the date of which proclamation or proclamations the divisions, incorporations, and other matters respectively determined in the report or reports so revised and amended, shall take effect and be in force."

On the 26th clause being put,

Lord *Althorp* said, that in consequence of what had passed last night, he wished to make an amendment in this clause. It had never been his intention to give the Commissioners power to call for charters and title deeds, and he should therefore propose to add, after the words "of a public nature," the following words—"except charters or muniments of title."

Mr. *John Campbell* said, that it was very proper to exclude muniments of title, but he did not see why charters should be excluded. Charters were documents altogether of a public nature; they must be somewhere enrolled, and would be very useful, he should conceive, in ascertaining the limits of boroughs.

Lord *Althorp* thought, that the production of charters would not be essential to the Commissioners, for it would not be any part of their business to define the old limits of a borough.

Mr. *John Campbell* thought, that in defining new limits to a borough, it might be very convenient to know what the old limits were.

Amendment agreed to, and the clause, amended as follows, ordered to stand part of the Bill:—

"And be it enacted, that for the purpose of collecting such information as may be useful or necessary for enabling the said Commissioners to execute the several powers vested in them by this Act, any one or more of the said Commissioners is and are hereby authorized to issue precepts under his or their hand or hands, requiring any persons to attend before him or them for the purpose of giving evidence, and to bring before him or them any books, papers, or other documents whatsoever of a public nature, except charters or muniments of title, in the custody or under the control of such persons, which in the judgment of such Commissioner or Commissioners may contain information useful or necessary to the due execution of the powers vested by this Act in the said Commissioners; and any such Commissioner or Commissioners is and are hereby authorized to administer an oath (or, in the case of a Quaker or Moravian, an affirmation) to all persons attending as witnesses before him or them, and to examine such persons touching all matters which such commissioner or commissioners may judge to be useful or necessary to the due execution of the powers vested by this Act in the said Commissioners."

Lord *Althorp* said, that the 27th clause had been amended, but that the only object of the Amendment was, to place Shoreham, Cricklade, East Retford, and Aylesbury, upon the same footing as other boroughs, and to render the regulations in the Bill for other boroughs equally applicable to them.

An *Hon. Member* said, that of all the anomalies in the Bill, the manner of dealing with these four places was the greatest. If Ministers were now prepared to make this Amendment, upon what possible ground was it, that they refused to agree to the proposition of the right hon. member for Tamworth, for extending to all the towns in schedule B, the right of returning two Members?

Mr. *Robert Gordon* had not had time to consult his constituents on the subject of this clause. If, therefore, he let the clause pass now, he must not, for that reason, be supposed to approve of it.

Sir *Charles Wetherell* had heard no reason assigned for changing the constituent body of these places, and as he was an enemy to all unnecessary change he must protest aganist this.

Mr. *Granville H. Vernon* said, that the reason with regard to East Retford was this—Nottinghamshire, by the Bill would acquire an increase of two Members, but if the hundred of Bassetlaw were to be excluded from the county, it would have no claim to such an increase. Personally, he should rather the constituency remained as it was, but he had no right to oppose his private feelings to a public improvement.

Lord *Althorp* said, that when this arrangement was called an anomaly, the Gentlemen opposite should consider what were the anomalies of the present system of Representation. He had never proposed to alter a thing, merely because it was an anomaly, but because it worked practical evil. It had been thought desirable to place these places upon the same footing with other boroughs of the like description, and to prevent the freeholders in the districts mentioned from having a double franchise. He thought this a very beneficial arrangement, and was certain that no human being had any right to complain of it.

Sir *Edward Sugden* thought the alteration required great consideration. The town of Worthing would secure the return for the rape of Bramber, now that Horsham was excluded; and thus would be added another to the number of watering places, of which the Ministers seemed so fond. The noble Lord had introduced these variations into his system, with regard to the hundreds now under consideration, upon the pretence of removing anomalies; but the noble Lord greatly increased them. The noble Lord appeared to lay down general rules; and, in endeavouring to make every individual case square with his notions, he involved himself in all sorts of inconsistencies, until his plan became, as it had been very justly designated a tesselated system. He had so frequently stated objections to these alterations, and to the principle on which they were made—he had so often wearied the House with protesting against depriving any classes of the community of rights that are dear to them, that he would not now repeat what he had formerly urged; but he must once more protest against any Ministry thus trifling with such important interests, many of which could be traced from the very earliest periods of our constitutional history. He could only suppose, that many of these changes were made for the sake of alteration, and with no other object, as it was impossible to discover any other reason for introducing them. In most instances the noble Lord had not even deigned to shew that they were either necessary or desirable. It was said, that no harm would result from this alteration; but he challenged the noble Lord, or any one else, to prove to him, that when he introduced a new principle into a machine, of which previously there had been no experience, that it necessarily followed, that it must succeed. He was of opinion, that from the very nature of the proposed change, it was probable that much evil would result. In the case of Shoreham, you make the hundred the borough, and you deprive the freeholders of a right they previously enjoyed. He would ask, were they doing the least good in taking away the right of voting, and introducing so many changes in this case? The Committee was aware that in these three boroughs particular circumstances led to the giving the right of voting to the freeholders of the hundred. He knew they were driven to this, and that it would not have been done at the time unless from matter of necessity. It was now proposed to take out entirely one portion of the population from the county, and to form an entirely separate Representation. These, in point of fact, were only county Representation on a small scale; and the framers of the Bill were thus introducing a principle entirely at variance with the practice that had hitherto prevailed in this country, and which was most objectionable on every principle. The borough of Shoreham, with the districts annexed to it by the clause, would extend upwards of thirty miles from north to south. In this district there was some of the most wealthy Yeomen in England resident, and he was sure that they would not view with satisfaction the being removed from the county Representation. In that district several great families exercised considerable influence; but none of them so much as to control the return of Members. He did not object to the legitimate influence of property; on the contrary, he thought it right and proper that it should exist; but the division of it in this part of the country was such as to secure the attention of whoever might be elected, and to prevent him neglecting the interests of his constituents. Formerly the Representation was much closer than now; but for the last few years it had been in such a state as to render no alteration necessary. He made an attempt to be returned for Shoreham, a few years ago, and, although he failed, he knew that the attempt was attended with good, for it compelled the Members to pay more attention to their constituents than they had done before. At present, the Representation of that place was most satisfactory, inasmuch as it enabled the constituency to enforce an attention to their interests. The effect of this measure would be, to throw an increased power into the hands of the higher classes in this district. It would materially diminish the number who were formerly entitled to vote, and would destroy some of those counterbalancing interests that tended to keep the borough open. The various clauses of this Bill had been so altered, and so amended, and so modified, from those in the original Bill, and there were such amendments upon amendments proposed by the noble Lord opposite, that Members, after giving the printed clauses in the Bill every consideration in their power, found, on their coming down to the House, that totally new ones were substituted in their stead. At all events, whenever this Bill should pass, it was quite clear that no one would again dare to talk of "the Bill, the whole Bill, and nothing but the Bill." He trusted, that when the Bill was passed, the old Bill and the new Bill would be printed together as a natural curiosity, to hand down to posterity. They would have only to print the original clauses of the Bill on one side, and to give those which had been substituted in their stead, and which had been finally carried, on the other, and the document would be worthy of the admiration of after ages. He would venture to say, that scarcely a comma, not to mention a period, would be found, that had not been altered from the draught of the original Bill. One good effect of the preservation of a document of that kind, would be, that the people would never again be deluded by such a cry as "the Bill, the whole Bill, and nothing but the Bill." His complaint against this clause was, that it went to deprive the poor man in those boroughs, of that franchise which he had hitherto enjoyed, and that, in the instance of some of them at least, it would throw into a small quarter that influence and power which ought to be extended over the whole district. In the case of Shoreham, for example, the 10*l.* clause would completely disqualify the scot-and-lot voters there. They generally possessed very poor houses, and the operation of the Bill would be to disfranchise nine-tenths of them. One word as to the exceptions which had been made by the Bill in favour of existing rights. Those exceptions had been so elaborately framed, and so artfully drawn up, that he would venture to assert, that their real effect would be to destroy those rights, the preservation of which was their ostensible object.

Mr. *Granville H. Vernon* said, that he did not think that the clause would have those bad effects amongst the rural population in the neighbourhood of those boroughs, which the learned Gentleman and others seemed to anticipate from it. He was of opinion, that the effect of it would be to induce the landlords to pay greater attention to the comforts of the lower classes of the peasantry. It was required, that a man, to have a vote, should occupy a 10*l.* house, it would, therefore, induce landlords to give the cottagers there small pieces of land on which they would be enabled to keep a cow. The cottager who could thus keep a cow, would, no doubt, be also entitled to receive the franchise. He was sure, therefore, that there would be very few of those who were possessed of 40*s.* freeholds, who would not have votes under this Bill.

Sir *Edward Sugden* said, he was not ignorant that such might be the effect of the clause, and it was very much to be deplored. This arrangement would cause a regular manufacture of votes, and the proprietor who should adopt such a plan might reckon the number of his electors by the number of cows on his property.

Mr. *Robert Gordon* said, that if he thought that the operation of this Bill would be to lead to the manufacture of fictitious voters in the way mentioned, by the allotment of small portions of land in the neighbourhood of Cricklade or Bassetlaw, he should most strongly object to it. He was afraid that the clause, as it stood, would injure the freeholders of Cricklade, as well as of other districts similarly situated. All freeholders of such places ought to be treated in the same manner as the freeholders of the county, and registered accordingly. Again, the freeholders of Malmesbury were to vote for Cricklade, instead of the county of Wilts: that he considered most objectionable. He hoped that his Majesty's Ministers, when they came to the registration clause, would constitute East Retford, Cricklade, Shoreham, and Aylesbury, not boroughs, but district counties, as regarded the taking of the votes. The truth was, that the Representatives for those places would much rather that they had been left as they were. They had waited on Ministers, and had earnestly requested that they might be let alone.

Lord *John Russell* said, it was quite true that the Members for those places had waited on his Majesty's Ministers. On that occasion they made three propositions to Ministers—either to leave those places as they were, or to make them entirely boroughs, or entirely counties. After a good deal of consideration, it appeared to his Majesty's Ministers, that the best course was, to make them boroughs, as they were constituted under this clause. As it was necessary to interfere in the cases of those places, the giving the right of voting to the 10*l.* householders appeared to be the best plan, and it was in strict conformity with the general principles of the Bill. He differed from the hon. Member (Sir E. Sugden) with regard to the rape of Bramber. From inquiries the Ministers had caused to be made, they were satisfied no particular influence of persons would be predominant.

Mr. *Cresset Pelham* said, the districts in question, having a sufficient Representation, ought to have been let alone. He could not see why exceptions might not have been made in the instance of those places, as there had been in the instance of the two Universities, where the existing rights of voting remained untouched. Objections had been made against taking these hundreds out of the county Representation, and he concurred with those hon. Gentlemen who had made the remark, for he was of opinion, the depriving of a freeholder of his vote for the county was an unjust act. He knew Sussex well, and he could assert, that the rape of Bramber, which was to be cut off from that county, was nearly one-sixth of it, in wealth, extent, and population.

Mr. *Frankland Lewis* hoped, that his noble friend would adopt his opinion with regard to the freeholders and renters of land having votes for the county, as well as for these rural boroughs. No attempt at an answer to the arguments urged by his hon. and learned friend, had been made. Every hon. Gentleman knew, that these districts had been added to the boroughs they were attached to, in consequence of gross delinquency and corruption in the boroughs, in order to purify them by an infusion of fresh constituency. The change now proposed, would reduce them to their original state, and the grossest bribery and corruption would again prevail. It must be perceived, on an examination into all the circumstances, that these freeholders were hardly treated. They were connected with the county by all sorts of ties, and to cut them off from these, to break up old connexions, and to compel them to resort to other means to become acquainted with the candidates who were to represent them, was unwise. He apprehended much bribery arose from the candidates not being acquainted with their constituents. The relative position of persons holding lands was materially altered by the arrangement now proposed. With regard to these rural boroughs, instead of the right of suffrage being vested in the freeholder as the owner of land, he could have no claim to vote, unless he occupied a house of 10*l.* annual value. This was a point to which he attached much importance, and he should avail himself of an opportunity to propose, that a limited portion of land should entitle a person to vote, as well as the occupation of a 10*l.* house. He considered it absurd, that an extensive landholder in these districts, might be deprived of a vote altogether, unless he occupied a house of a certain value.

Mr. *Robert Gordon* said, his hon. friend was mistaken in some of his views, for the same regulations prevailed in these districts as in the counties, and if the landlord held any portion of land, and paid the rates, even for a cottage, he would be entitled to vote. Thus, in counties it was not merely the occupier of a house of 50*l.* a-year, independent of land, but the occupier of house and land to that extent, no matter what was the relative value of either, that was entitled to vote. He imagined, that there were few landlords who had not some sort of residence on their property, which, taken with the land, although cultivated by another, would give the right. As to the question before the House, he regretted some regulations were not proposed with regard to polling at different places for Cricklade, as several of the voters lived at the distance of twenty miles. The noble Lord had correctly stated the substance of the three proposals that had been made with regard to these boroughs by their Representatives, but neither of them was ultimately and entirely adopted. The consequence would be, that several of his constituents would be disfranchised. He thought the clause was by no means clear, but he would not enter further into the subject until he had consulted his constituents.

Lord *Althorp* said, that he could not agree with his right hon. friend, the member for Radnorshire, that the freeholders of these rural districts, would have cause for complaint. His right hon. friend's proposition went to give persons so situated, two votes, one for the borough, the other for the county, which was directly at variance with the principle of the Bill, and could not be tolerated. The adoption of his proposition would create a great change in the whole machinery of county voting. The hon. member for Shropshire had remarked, that as the Universities were to be untouched by this Bill, therefore there would have been no inconsistency in letting these boroughs remain as they were; but there was a great distinction between the cases, and that arose from the surrounding districts having been added to them, as a remedy for the bribery and corruption which had previously existed in these places. There was no analogy whatever between the two cases, for the Universities were wholly and entirely free from any such imputations. The Universities also returned Representatives on a different footing from all other places, and their Members represented interests only. He must deny, as was stated by the hon. member for Cricklade, that the clause would disfranchise many persons. A degree of occupancy was certainly necessary to entitle a person to vote, but occupying a house and land to the annual value, together, of 10*l.* would allow of this privilege being exercised, and he thought that was extending the right far enough, even if it excluded some scot and lot voters.

Sir *Charles Wetherell* said, there were eight Members returned for these four places, and the right of voting for each was regulated by particular Acts, which had been passed to remedy the delinquency of those by whom the franchise had been previously held. He agreed with Mr. Fox, and other eminent men, that it was improper to interfere with the franchise. This clause, however, annihilated these four Acts, and for no satisfactory reason, that he had heard assigned. The plea, indeed, was the propriety of establishing a uniform system of voting, but which wholly failed when it was considered, that a 10*l.* householder was to have the privilege of voting in these districts, while to vote for the county required the occupation of premises of 50*l.* annual value.

How the noble Lord could call this anomaly, a uniform right of suffrage, he did not comprehend. The Representation of these districts had recently been reformed, and now they were to be destroyed. He hoped the hon. member for Cricklade would divide the House upon the clause.

Mr. *Robert Gordon* would not adopt the advice of the hon. and learned Gentleman: he had no intention to divide the House, for he believed his constituents would prefer giving up their rights to delaying the progress of the Bill. He had understood that the suffrage was to be preserved for the lives of the present possessors. He wished, therefore, to be informed whether, the clause acknowledged this right to all the persons at present qualified within the boundaries and districts attached to the borough.

Lord *John Russell* said, the district formed the borough, and the clause would work as his hon. friend wished.

Sir *Thomas Fremantle* also understood the clause to be as the noble Lord said. He objected to it, however, on other, and, as it appeared to him, stronger grounds. He thought it was unjust to deprive a freeholder of his vote for the county, and give him in lieu thereof a vote for one of these boroughs, which was not an equivalent. The population of the hundred of Aylesbury amounted to one-sixth of the whole of Buckinghamshire, and it was unwise to abstract so large a portion from the county constituency. Again, with regard to the Rape of Bramber, when Brighton and Horsham were abstracted the population would be diminished one-seventh. The same was the case with Cricklade, and East Retford was still more, for if the population of that hundred, and for the town of Nottingham, were to be taken from the county constituency, the county ought not, from the scale adopted, be allowed to return more than three Members. Besides, why should Cricklade and the other places be saved from being placed in schedules A or B? Was it that they had been convicted of corruption some years since, that they were to be thus favoured, while towns which had never had the shadow of such a charge made against them, were to suffer either whole or partial disfranchisement. This was gross inconsistency and gross injustice. In conclusion, he wished to understand from the noble Lord, whether the 40*s*. freeholders in these places were to retain their franchise for life, as had been said by the hon. member for Cricklade.

Lord *Newark* thought the clause inflicted hardship on several classes of persons. He did not think the whole number of voters would be reduced, but the effect of the clause would be, the transfer of the franchise from the absent freeholders to the resident householders. There was no reason why the former, though a respectable and independent body, should be allowed to retain their votes for these boroughs: the county was still open to them. He wished the noble Lord, the Chancellor of the Exchequer, would inform him how the noble Lord intended to apply the 43rd clause to these particular places, and he also wished the noble Lord to explain in what manner the Assistant Barrister was to perform his duties.

Sir *Edward Sugden* said, the former Bill preserved the rights of these freeholders unimpaired, but the present clause was silent on the subject: this was an important alteration, which he hoped the noble Lord would explain.

Lord *Althorp* said, there was no intention of altering the arrangement which had formerly been proposed. The only object of this clause was, to assimilate these boroughs with others.

Mr. *Rickford* begged the noble Lord would have the kindness to inform him, if a man who had a freehold in these districts would have a right to vote, if he did not reside within seven miles.

Lord *Althorp* replied, that a person so circumstanced would have no right to vote.

Mr. *Croker* said, these districts had been declared to be mischievous anomalies by the hon. Gentlemen opposite, who wished the franchise to be transferred to towns; and in that he agreed with them. It was, therefore, with some surprise he heard them now advocate what they had before condemned. The effect of this clause would be, to abstract from the counties in which these places were situated, a large portion of the county constituency. This was an anomaly which must injure any measure that was not in itself a mass of anomalies. He did expect that these delinquent boroughs would have been dealt with as others were dealt with, but it seemed that the Members who represented these places had succeeded in making terms for them.

Lord *John Russell* said, the Members had left the matter to Government.

Mr. *Croker:* Oh! if that was the fact, the Government ought to have dealt with these boroughs as if they had still remained on their ancient footing, particularly as the noble Lord had remarked upon the case of Bassetlaw, in his opening speech, as one strong instance to prove the necessity of Parliamentary Reform. He most earnestly desired them to be suppressed in their present shape, because he looked upon them as the first step to departmental elections. Independent of this, however, he objected that they were made an exception to the rule by which freeholders were not required to reside within certain limits.

Sir *Edward Sugden* agreed with his right hon. friend, for by this clause the freeholder's right was reserved to him only on the condition of residing within certain limits. So far as these boroughs were concerned, he did not apprehend that the absent freeholders knew that their rights were abrogated by the operation of this clause.

Mr. *Bonham Carter* thought, that the hon. and learned Gentleman was wise after the event. His arguments should have been brought forward when they were discussing the 22nd clause, which applied to all boroughs.

Sir *Thomas Fremantle* said, he had never supposed that a general rule would have been applied to places which had a special exemption. In some places where the constituency was limited, it might produce evil consequences that the residents should be swamped by a number of non-resident freeholders coming in upon the occasion of an election; but these observations wholly failed when applied to those districts, which might be considered almost as small counties. Several persons might thus be deprived of their privileges, without knowing they were attacked.

Sir *George Clerk* asked the noble Lord, if it would not have been more advisable to have followed that principle of the Bill, under which freeholders of cities, being counties of themselves, were allowed to vote for the county in which such place was situated.

Lord *Althorp* said, the places then before them were boroughs, and a freehold did not give a vote for the county, if the person holding it voted for the borough —but non-resident freeholders, who could not vote for the borough, were to have votes for the county.

Mr. *Croker* said, he did not clearly understand the noble Lord, for he knew of no instance, except the cases before them, where freeholders had a right as such to vote for a borough, except in counties of cities.

Lord *Althorp* said, several of the hon. Gentlemen opposite might, perhaps, know, that annuitant freeholders had been made in considerable numbers, purposely to vote for counties of cities, and they had been created in the same way for these boroughs. The non-resident freeholders would be excluded from voting for such places, but they might exercise their franchise for the counties.

Sir *Edward Sugden* remarked, that the operation of the measure, according to the noble Lord's own showing, would be, that for the chance of excluding fictitious voters, they would disfranchise *bonâ fide* freeholders. The alteration of this clause had been brought before them unawares—and it would certainly be the means of depriving several persons of their privileges who had no knowledge of what was going forward.

Sir *Thomas Fremantle* said, that whatever might be the case with counties of cities, he believed no fictitious freeholds had been created in these boroughs, and he should, therefore, propose, that instead of agreeing to the amended clause, the Committee should adopt the clause as it stood in the original draft of the Bill, viz., "That all non-resident freeholders of the hundreds of Shoreham, Cricklade, Aylesbury, and Bassetlaw, should retain the right of voting for those boroughs during their lives."

On this proposition the Committee divided: Ayes 29; Noes 102—Majority 73.

List of the Noes.

Agnew, Sir A.
Althorp, Viscount
Astley, Sir J. D.
Baring, F. T.
Benett, John
Bentinck, Lord G.
Blake, Sir F.
Blamire, W.
Blunt, Sir C.
Blackney, W.
Boyle, Hon. J.
Bourke, Sir J.
Calvert, N.
Campbell, J.
Canning, Sir S.
Carter, J. B.
Crampton, P. C.
Creevey, T.
Curteis, H. B.
Denman, Sir T.
Dixon, J.
Easthope, J.
Ewart, W.
Fergusson, R. C.
Gilbert, D.
Godson, R.
Graham, Sir J. R. G.
Grant, Right Hon. R.
Hawkins, J. H.
Handley, W. F.
Heywood, B.
Hill, Lord G.
Hodges, T. L.
Hodgson, J.

Horne, Sir W.
Hoskins, K.
Hughes, W. H.
Hume, J.
James, W.
Jeffrey, Right Hon. F.
Jephson, C. D. O.
Jerningham, Hon. H.
Johnston, A.
King, E. B.
Knight, R.
Lamb, Hon. G.
Lefevre, C. S.
Lennox, Lord J. G.
Littleton, E. J.
Lushington, Dr.
Maberly, Colonel
Macdonald, Sir J.
Mackenzie, J. A. S.
Mangles, J.
Marryat, J.
Martin, J.
Maule, Hon. W. R.
Mayhew, W.
Moreton, Hon. H.
Newark, Lord
O'Connell, D.
Paget, T.
Palmer, C. F.
Payne, Sir P.
Pendarvis, E . W.
Penlease, J. S.
Petit, L. H.
Petre, Hon. E.
Phillipps, C. M.

Pepys, C. C.
Ponsonby, Hon. G.
Power, R.
Ramsbottom, J.
Rickford, W.
Rooper, J. B.
Russell, Lord J.
Sanford, E. A.
Scott, Sir E. D.
Skipwith, Sir G.
Smith, R. V.
Strickland, G.
Strutt, E.
Tennyson, C.
Thicknesse, R
Thomson, C. P.
Throckmorton, R. G.
Tyrell, C.
Venables, Ald.
Vernon, Hon. G. J.
Villiers, T. H.
Walker, C. A.
Warburton, H.
Warre, J. A.
Watson, Hon. R.
Wilde, T.
Wilks, J.
Williams, W. A.
Williamson, Sir H.
Willoughby, Sir H.
Wood, Ald.
Wood, C.
Weyland, J.

TELLER.

Nugent, Lord

List of the AYES.

Ashley, Lord
Clerk, Sir G.
Clinton, C. J. F.
Croker, Rt. Hon. J. W.
Dalrymple, Sir A.
Dawson, Rt. Hon. G.
Dick, Q.
Douglas, W. K.
Forbes, Sir C.
Freshfield, J. W.
Gordon, J. E.
Knight, J. L.
Lewis, Rt. Hon. T. F.
Lowther, Hon. Col.
Lyon, W.
Mackillop, J.

Miller, W. H.
Murray, Sir G.
Pemberton, T.
Pigott, G. G. W.
Pringle, A.
Praed, W. M.
Pusey, P.
Scott, H.
Sugden, Sir E.
Townshend, Hon. G.
Trench, Colonel
Wetherell, Sir C.
Wood, Colonel T.

TELLER.

Fremantle, Sir T.

The clause, as amended by Ministers, agreed to.

Clause 28th was, on Lord Althorp's motion, ordered to be omitted.

On the 29th clause being proposed, which provides that electors shall be registered.

Colonel *Wood* said, they had then come to that clause of the Bill by which a registry for the voters of counties and boroughs was appointed. It was stated, that this clause was intended to diminish the expense of election. So far from producing that effect, he was convinced that it would increase the expense, not only to counties and boroughs, but also to the candidates and to the sitting Members. This plan of registration was exactly the same as a plan which had been submitted to the consideration of a Committee in 1827. After much inquiry and examination into its details, a gentleman of as great sagacity as any man who had ever sat in Parliament, the late Mr. Tierney, designated the plan, in his homely English style, as impracticable, and as mere moonshine; and yet strange to say, all the registration clauses in this Bill were copied word for word, as any hon. Member might see by going to the library, from the 27 clauses of the Bill of 1827. Now the first clause in the present Bill directed the Overseers of the poor in every parish to make out, at the expense of the parish, a list of all persons liable to be registered as voters for the county or borough in which the parish was situated. How, in the name of common sense, were the Overseers to ascertain who were the persons liable to be registered? Having made that list, the Overseers were to have it printed, at the expense of the parish no doubt, and were then to post it for two succeeding Sundays in the month of September on the church door. All persons not in that list could claim, by a document inserted in one of the schedules of the Bill, to be put on that list by the succeeding Sunday. But how was a freeholder, who was not resident in the parish, to know whether his name was on the list or not? Was he to write for the list, or was he to employ an Attorney to see that his rights were not neglected or overlooked? In either case, this would entail a considerable expense upon him, as well as upon the parish in which his property lay. The lists, thus made out, were to be sent to the High Constable of the hundred, and were to be transmitted by him to the Clerk of the Peace. The Clerk of the Peace was to get them printed, he supposed at the expense of the county, and was then to transmit them to the Barrister who was appointed to act as Assessor by the Judge of Assize, liable to the approbation of the Lord Chancellor. The clause did not say that these Assessors were to be paid, or how they were to be paid, but he supposed they would be paid out of the county purse.

Lord *Althorp:* No, by the State.

Colonel *Wood* hoped, that the country was aware, or, if not aware, would now learn, that it was to pay for the Assessors who were appointed for every borough and county in the kingdom. After these lists were verified by the Assessors, they were to be sent back once more to the Clerk of the Peace. He was to print them, and to arrange the voters alphabetically, and by numbers. Now, how could the Clerk of the Peace do this? How, from the various lists sent to him from the different parishes, would he be able to ascertain the identity of individuals having different estates in different parishes? When all the regulations of the clause were complied with, it was further provided, that no question should be put to the voter at the poll as to his identity, if he would take his oath of it. This would lead to numberless false oaths, and would often cause the rights of substantial freeholders to be defeated. Again, by the 55th clause of this Bill, it was provided, that if the Sheriff, or any of his Assessors, should misconduct himself in the reception or registration of the voters, he should be punishable by an action at law. But that clause, in his opinion, did away with the power which that House had often exercised in punishing the misconduct of returning officers. After all this, there was to be an appeal to a Committee of the House of Commons, which was the oddest way in the world of avoiding expense. He was sure that, if the regulations of this clause were established, every county Member must have an agent in every hundred to take care that his friends were put upon the list, and to prevent improper persons from being inserted on it. And it must be recollected, that as the list was made out annually, these agents must be annually retained. Let the Committee next look at the mode in which the elections were to be conducted under this Bill. He supposed that, in the first instance, the election was to be decided by a show of hands at the county-town. If a poll were demanded, the freeholders would have to get back from the county-town to their respective circles, and therefore the polling was not to commence in the districts the next day. There was to be a blank day, which, he believed, would not be without expense to the candidates. Then there were to be two polling days, and then another blank day, after which the return was to be made; so that, if an election began upon a Monday, the candidate might think himself lucky if he was in his chair by the succeeding Saturday. He thought, that it would not save expense to make it imperative that an election should last a week. He was not called upon to provide a substitute for these registration clauses, but he would state what he thought would be an improvement upon them. He thought, that if the party claiming to vote would take the freeholders' oath, and would appeal to the rate-book for his qualification, there would be in that a sufficient proof of his title to vote. By adopting such a plan, the Committee would get rid of the thirty remaining clauses of the Bill, which would be a great recommendation, as the Committee had only just got through that number at present. He would negative at once all the clauses relating to the registration; for by so doing, the principle of the Bill would not be affected. He would certainly take the sense of the Committee upon his suggestion.

Lord *Althorp* was glad that the hon. Member, when he alluded to the labours of the Committee of 1827, had not proved that there was any abandonment of the opinion, which he (Lord Althorp) then entertained. He recollected Mr. Tierney was a member of the Committee, but he did not remember the expressions attributed to him by the hon. Member. He knew, however, that the Committee adopted the plan, and that a bill was drawn up in compliance with their recommendation. The hon. Member had objected to the expense the plan would entail on parishes, from the Overseers being compelled to make out lists of the voters. Now, it should be borne in mind that the Overseers were, at the present moment, compelled to make out much more expensive lists than those. They had to prepare the Jury Lists and the Population Returns; and it had come to his knowledge lately, that in a parish of 4,000 inhabitants the whole of the expense of one of these lists was only 7*l.* With respect to the second objection, that the non-residents could not have an opportunity of attending on the days of registration, it must be recollected, that their tenantry, on learning the time when the registration was to take place, would have full opportunity to apprize them of it, and that the Overseers, from the nature of their office, were generally well acquainted with the residence of all persons of property in their respective parishes. The hon. Member had made some observations on the intention of the Government, that the Assessors should be paid by the State. As the whole kingdom was to receive the benefit of the measure, it was fair that the whole kingdom should bear the expense, and that it should not be levied on districts. As to that part of the mere machinery of the Bill which they were then considering, it was by no means unlikely that practice might point out means of improving it. He could not agree with his hon. friend, that there would be any necessity for candidates to keep paid agents all over the county. Every candidate would have plenty of intelligent friends, who would look at the lists for him, and give him the necessary information. Undoubtedly, where there were contests, there would be some expense, but not otherwise, when the machinery was fairly at work. His hon. friend said, that the elections would not be the less expensive, because the polling was to occupy only two days. That he (Lord Althorp) was at a loss to comprehend. The great expense of county elections at present was the conveyance of voters, and their waiting while the Poll-clerks determined upon the various qualifications. The appointment of several places for taking the poll must diminish the expense of the former, and the short duration of the poll must diminish the expense of the latter. As to the day of nomination, he could not agree with his hon. friend, that that would cause any great expense; for the electors need not come on that day unless they liked it. There would be no expense in the interval before taking the poll, and after the poll the expense would, of course, wholly cease. As to the supposition that the Clerk of the Peace would feel any difficulty in ascertaining the identity of any voter, it must be recollected, that as his residence was to be annexed to his name, that difficulty would not be great. Nothing, in his opinion, but a complete system of registration, united with the important regulation of taking the poll in different parts of the county, could produce the end so much desired: namely, a great reduction of the present expense at elections. At present the voter was at no expense until he came to the poll, when, if his vote was doubted, the expense of proving his right fell upon the candidate. Now, however, the reverse was to be the case, as he would have to prove his right before the Barrister. There was a technical form given to fill up, but the assistance of a professional man would not be required.

Sir *Edward Sugden* was sure, that the clause from which the noble Lord expected such great advantages would, so far from producing those advantages, only open the door to endless litigation and expense to both candidate and voter. He felt he was speaking within moderation, when he declared, that the first and chief effect of that clause would be, to let 300 unfledged Barristers loose upon the electors of England—for no other purpose, as it would seem, than to create a necessity for never-ceasing litigation. As a lawyer-business-creating clause, it would be hailed with great satisfaction by all the young briefless barristers and local attornies in the kingdom; but as a means of lessening the expense and inconvenience of county elections, it would be worse than nugatory. These 300 gentlemen, professional assessors, or registrators, or by whatever designation they were to be known, were, it seems, to be paid by the State for thus creating endless suits and contentions; and yet, in the event of their deciding erroneously, either through ignorance or design, there was no remedy to the wronged candidate or voter, but an appeal at his own individual expense to a Committee of that House. Then there were various objections to the machinery; Overseers might not be competent to make out the lists—tenants might bear ill-will, and not acknowledge their landlords' right to the freehold—friends might neglect the interests of those at a distance. Names might be thus omitted, and thus proof of notice to remedy this would be required, and afterwards a man might have personally to appear before the Barrister, whose decision might be pronounced final. And this the noble Lord termed lessening the expense, the inconveniences, and litigations, of contested elections. Were hon. Members aware that cases started up at contested elections which required a very minute acquaintance with a very difficult branch of the law? The Barristers, too, were deprived of assistance; for, in ordinary cases, an Assessor had the assistance of Counsel, and the Bar might thus lose its dignity. Barristers of a day old, totally ignorant of law, might be thus appointed to decide questions of real property. There appeared to be a check upon this, as a Judge was to select, and the Lord Chancellor to approve, the Barrister chosen. But were Members aware of the fact, which he could affirm on his own knowledge—namely, that Westminster Hall could not at this moment furnish a sufficient number of competent Barristers to discharge the functions imposed by the present clause? Under the present system, the assessor called in the assistance of a skilful lawyer; under the clause the unfledged Barrister would have to decide by himself, without any Counsel or appeal but the costly one of coming before that House. The clause would certainly tend to lower the moral dignity of the profession, without producing any single counterbalancing advantage whatever. The noble Lord seemed to think also, that the registry would be no expense to the candidate, because it would be efficiently performed by the electors themselves. This was an error, even with respect to popular candidates, who would have to make the registry at their own cost, and by so doing they would invite the opposition of every unpopular or stranger candidate, who persuaded himself that on a perusal of the lists of the registered, he might have a chance. In every way that the clause could be considered, it would be found to be productive of all the evils of contested elections, without the excitement or general benefit, unless, indeed, throwing the public mind of England into an annual ferment with respect to elections could be considered a national advantage. But, the noble Lord insisted, that limiting the election to two days, and taking the poll at several districts, must lessen the expense of elections for counties. Now how could this be, even on the noble Lord's own showing? There would be, on a fair average, fifteen districts or separate polls, at a mean distance of fifteen miles from the centre of the county, where it was highly probable the candidates would attend. This being the case, how was it possible that the contest could terminate till every freeholder had polled? for how could the candidates know on the second day how the polls all stood, when to give in, or when to persist? But supposing this difficulty was surmounted, how, in the name of common sense, could every freeholder be conveyed to the poll in two days, without the use of every horse, cart, coach, or vehicle in the county—that is, at an expense and confusion to which the present system afforded no parallel? Would not, on the face of the matter, the expense of this conveyance be enormous—and that, too, in proportion as the duration was lessened? And if so, how much more must it be, when it was taken into consideration that all England would be engaged in the same business of elections during the precise two days that the demand would be so urgent for the means of conveying electors? It was plain, that the clause would necessarily lead to endless litigation, expense and confusion. A more admirable scheme for embarrassing a whole county, a more admirable scheme for embarrassing a whole kingdom, he had never heard of; and what added to the absurdity of it was, that it was entirely unnecessary.

Mr. Serjeant *Wilde* was at a loss to understand, how limiting the continuance of the poll to two days, and providing that it should be taken at several places in the county, could increase the expense. As to the votes, they must be investigated somewhere. They must be investigated, either at the poll, as at present, or elsewhere. He did not see, why greater objections would arise in the mode of investigation provided by the Bill, than in the existing mode. His hon. and learned friend thought, that there would not be competent Barristers enough for the purpose. He could not concur in that opinion. Having some acquaintance with the Circuits, he did not conceive, that there could be any difficulty in the case. When it was recollected, that the Judge was to make the appointment in public, that would be a security against the appointment of a briefless Barrister, wholly unlearned in his profession. His hon. and learned friend had taken two objections inconsistent with each other: the one, that the expense would fall on the voter; the other, that it would fall on the candidate. In his opinion, there would be much less difficulty in examining the rights of voters for the purpose of registering them, than in examining them, as at present, at the poll-booths. In the latter case, the haste and confusion induced many unqualified persons to offer themselves to vote, in the hope that they might nevertheless be received, who would not venture to go before a Barrister to have their claims deliberately examined. Every one knew, that when once the lists were made out, of the freeholders and occupiers, very little change could take place—no doubt some would, but could any one suppose, that when such a list was once made out, confusion could arise every year? Then it was said, that the notices could not be filled up, without the aid of attornies, but the printed form left only blanks for the man's name and the date; and surely the occupiers and freeholders were not so unlearned a class as not to know their own names, or the day of the month when they signed them. The simplicity of the arrangement, and the clearness of the various forms, would, in his opinion, preclude all the embarrassment which his hon. and learned friend seemed to apprehend.

Sir *Charles Wetherell* said, that, in opposing this clause, he was not actuated by those feelings of hostility towards the Reform Bill, with which he could not but regard it. His opposition, in this case, was grounded on the circumstance, that the clause now under consideration was, in no degree, involved in the main object of the Bill, but was an unnecessary obtrusion on the rights of the constituency of the country, as well as on those of the future candidates for Parliament. He concurred in all the objections which his hon. and learned friend had made to this clause. The noble Lord, on a former occasion, took a good deal of pains to get the House to adopt this registry plan. A bill was introduced, which was looked to as an economical mode of regulating county elections. Such a measure, if practicable, would have met with support; but it was the unanimous opinion of a large portion of the House, that the noble Lord's system of registry would be productive of more expense and confusion than any other measure. His hon. and learned friend, the Serjeant on the Ministerial side of the House, had given but a brief answer to the analysis of his hon. and learned friend. In the remarks which he had to offer on this clause, he addressed himself particularly to the Members for counties, as it was they who would be the chief sufferers by an innovation which, he should presently show to be likely to increase, rather than diminish, the present expenses of a county election. It concerned them to consider the expense of county elections. They were more interested than Members for boroughs. The question upon the whole of the clause was economy. On that subject, he had but little to add to what had been said by his hon. and learned friend. In framing this clause, it had been understood to be partly founded on the desire of the Ministers to save the pockets of future candidates for Parliament, but in looking towards that object, they ought not to have forgotten the pockets of the constituency. They were to have district polls, and it was said, the election was to last but two days; but would the divided polling occasion less or more expense than an election at one place? His impression was, that expense would be increased by subdividing the places of polling, where the candidates must necessarily have agents. There was one item to which the noble Lord and the learned Serjeant had not alluded, namely, the expense of the registry. The whole of that expense, by the machinery of the Bill, would fall on the candidate for a county. Another defect was this: the constituents were to hear the candidates at one place, and then be dispersed in companies and squadrons to vote at different places, in various parts of the county. The county courts would, by this means, become a complete farce. He must contend also, that the machinery of the noble Lord's Bill violated the rights of the constituent body. The Churchwarden or Overseer would be incompetent to know who was entitled to vote, and persons would be deprived of their votes. A notice might be sent to insert names, but each application would involve the person in a petty lawsuit, the expense of which must fall on the person deprived of his vote. Looking at the machinery in a moral point of view, he should say, they were not only throwing a shade over the spirit of the people, but perpetuating party feeling, which would be kept up from year to year, The registry would produce an anti-social feeling injurious to the peace and happiness of the country. They were also overturning the *Lex et Consuetudo Parliamenti*, and giving their sanction to a gross infringement of the rights of the people. There was no part of the Bill against which he entertained a stronger objection than that which cast expense on the constituent body. At the same time he knew that expense would finally fall on the candidate. The very act of imposing on the constituency the necessity for being registered, by depriving them of their votes until this was effected, was so gross an imposition on them, and so complete an infringement on their rights, as alone to be a sufficient inducement with him to vote against the clause. If the Bill passed, it would open the door to bribery, in the shape of payment of the expenses incurred by the voters. They would abolish the bribery supposed to exist in the payment of expenses for out-voters, but they were introducing a new mode, by which more bribery would unavoidably occur. This registry was a most mischievous departure from the rights of voters, by throwing upon the constituency expenses which they had a right to avoid in going to the poll. It would operate as an infringement of the rights of the constituency, which, as a Member of Parliament, he could never consent to allow. He should oppose these clauses, and discharge his conscience from the meanness and injustice of throwing expense from his own shoulders upon the constituency.

Mr. *Littleton* said, the measure brought in by the noble Lord on a former occasion, for a registry, met with the unanimous consent of the Committee. The hon. and learned Member had said, it was fully and deliberately discussed and rejected. He did not recollect that any other person but the noble Lord (Lowther), the late member for Westmorland, had taken a decided part in opposing it, and he was supposed to do it for very obvious reasons. The same might be said of any other measure opposed by the Ministerial party. The same might be said of the Roman Catholic Relief Bill, which was at last carried by a triumphant majority. The same might be said of Reform, which was formerly opposed, and now universally supported. With respect to the present clause, it would operate beneficially to country Gentlemen of large fortunes, because the proposed system of registration would relieve them from standing upon a supposed point of honour, while to those of more moderate wealth it would be a great boon. Such gentlemen, who were otherwise eminently qualified, were often prevented from standing forward on account of the expense, which this plan would relieve them from. He had no doubt, if it passed, that many more candidates would appear for counties. He considered it very extraordinary, that a country, in other respects so well regulated in all that related to the mode of transacting all kinds of business, should have been hitherto deficient in regulations respecting registrations of votes. He was glad that this clause had been introduced to supply that deficiency, and he should give it his most cordial support.

Colonel *Wood* reminded the hon. Member who had just sat down, that the registry submitted on a former occasion by a noble Lord was declared by Mr. Tierney to be impracticable.

Mr. *Croker* said, he had not then present to his mind all that passed in the debate upon the Registration Bill, but he should hold that nothing could be more vague and inaccurate than the line of argument adopted by the hon. Gentleman, who had said he knew what must have been the object of his noble friend, the late member for Westmorland. In a conversation he himself had with that noble Lord, he was told by his noble friend, most distinctly, that his reason for objecting to the Registration Bill was, the expense it was likely to create; and, therefore, he (Mr. Croker) felt himself entitled to repel, with confidence, the insinuation made by the hon. Gentleman against the motives for the conduct of his noble friend on that occasion. He was convinced, from all he had heard that night, that although the Bill before the House might appear to diminish the expense of elections, it would, on the contrary, create a constant and perpetual expense, greater in amount than the expense of an ordinary election. For that reason, and because these clauses made a part of a bill so generally objectionable, he should vote against them, though he was a friend to registration, and was surprised that the British Legislature had not long since adopted that course of proceeding. He had seen it in other countries working well and doing good; but the machinery of registration proposed by the Bill was so complex and expensive, that, with all his desire for the adoption of registration, he could not bring himself to consent to it. These clauses, however, had nothing to do with Reform. They might have formed another Bill; therefore hon. Gentlemen, in expressing their doubts on such clauses, did not interfere with the principle of the Bill. He was sure when the clauses came into operation they would be found impracticable, and there would be an application to Parliament to repeal the whole.

Mr. *Littleton*, in explanation, said, he had never intended to say he knew the motives of the noble Lord, the late member for Westmorland, and still less did he pretend to censure them.

Mr. *Gore Langton* was the warm supporter of the measure to effect Reform in Parliament, but he strongly opposed the clause for the division of counties. When the Bill passed with that clause, there would be an end to the independence and honour of county Representation. The Members for counties would become in his sight odious. He would prefer being a representative for the city of Bristol, or any other city, to being member for the county of Somerset. Nothing should induce him to become Member for a county under such degrading circumstances. He had been many years a representative of a county, but after the passing of this Bill he should retire to private life. He supported the great measure of Reform, but should always remain strongly opposed to alteration in county Representation.

Mr. *Pemberton* objected to the time fixed for making out lists of persons entitled to vote. Sufficient time was not allowed to accomplish that object.

Mr. *North* was a friend to the plan of registration, but considered the scheme in the Bill incapable of answering the desired object. The principle of registration should include every valid vote, and reject every objectionable vote. In Ireland every man gave notice to the Clerk of the Peace that he meant to vote. That notice was published, upon which an assistant barrister went to the district where the vote was claimed, and the vote became the subject of inquiry. The registry in this Bill must depend on the Overseer. The friends of the Overseer would be placed on the list, and those who disputed votes would have to go before the barrister, and be put to the trouble of proving their objections. This was giving the Overseer too much power. In the registration plan for Ireland there was no such difficulty.

Lord *Althorp* said, that no additional expense would be imposed upon candidates by this clause. In fact, it merely referred to the registration of voters, which had nothing at all to do with expense, and indeed it was intended to produce a contrary effect. The Irish system of registration might be very good for Ireland, but it would not answer in this country. The Irish voters were in many cases registered at the expense of their landlords, whereas in this country every voter would register his own vote. With respect to Overseers having a partial power, he must really deny it, for he had practical experience that Overseers, during general elections, could not be at all times either Whigs or Tories, or Reformers or Anti-Reformers. As to any increase of expense at elections, he believed that the effect of the register would be, to do away with the expense of counsel, and many other expenses, which would increase the purity and facility of elections.

Mr. *Croker* considered that no registration could by any possibility do away with the necessity for counsel, and he should be glad to understand how it would reduce the expense.

Lord *Althorp* said, in this way; a man would have the right to vote on the supposition that he was duly registered; if it appeared he was not, then he could give no vote.

Mr. *Gore Langton* said, that if it went abroad through the country that it was necessary to employ counsel, the Bill would sink fifty per cent in the public estimation.

Colonel *Wood* said, that the only way to take the sense of the Committee was, on the question whether the present clause should stand part of the Bill; but looking to the state of the House, and to the absence of the county Members, he thought he should not do justice to this important question by calling for a division.

The amendment proposed by Lord Althorp agreed to, and the question that the clause stand part of the Bill carried without a division.

Clause 30, in its amended form, was then read from the Chair. By this clause, persons whose names are omitted in the county lists are to give notice of their claim to the Overseers within a limited time, and persons objecting to names included in the lists are to give notice to the Overseers, and also to the person objected to; and the Overseers are to fix lists of claimants and of persons objected to on church-doors, or in conspicuous places, and keep a copy of their names to be perused by any person without fee.

Sir *Charles Wetherell* said, that a man's name might be omitted, and if he was sick, or unable to give notice within the limited time, he would lose his vote.

Lord *Althorp* replied, that such accidents could not be avoided. Under the present system he had seen instances of names omitted in the land-tax assessment.

Mr. *Wilks* moved, that these words be inserted—"And deliver a copy of such lists to any person desiring the same, on payment of a fee of 1*s*."

Lord *Althorp* said, in large and populous places such a proviso might be necessary, but in small places it would rarely be called for. He suggested, that as the hon. Member's amendment referred to part of clause 30, which was already agreed to, as well as to clause 31, it would be better to postpone it to a future stage of the Bill.

The clause agreed to.

The House resumed. The Committee to sit again the next day.

GAME LAWS.] Lord Althorp moved the third reading of the Bill for amending the Game Laws.

Mr. *Paget* opposed the penal clauses of the Bill as too severe: if the noble Lord looked to page 160, line 15, he would there find these lines, "That in case any man shall assault or molest any Gamekeeper, or other person duly authorized." Now the words in the Act of George 4th were "shall assault or offer violence." He considered there was much difference between the two sentences, and he trusted the noble Lord, as he had manifested so great a desire to ameliorate penal statutes, would modify this part of the Bill. Such clauses were likely to produce much discontent among the labouring classes at this particular time. The present Bill was, no doubt, a mitigation of the former penalties, but still it did not go so far as he desired, for it attempted to make property of an article which never could be identified. His great objection to it was, that it authorised summary and severe punishments at the discretion of a single Magistrate, who ought never to have the power to fine and imprison, at his own will and pleasure. In this case the power was much aggravated, because the same person might be prosecutor as well as judge. Going out at night for the purpose of destroying game was no trivial offence, and deserved severe punishment, but six months' imprisonment, with hard labour in addition, was far too severe. Moreover another part of the Bill inflicted transportation for seven years, or two years' imprisonment with hard labour, for a man detected going out at night with the supposed intention of committing an offence, but with no other weapon than a piece of wire in his pocket. It was not necessary to convict him that he should be found snaring game. The circumstance of his being found on land, and attempting to make his escape, was sufficient to subject him to such severe punishments, which was infinitely too severe for such an offence. With this conviction on his mind he should move, that the punishments in several of the clauses be mitigated.

Lord *Althorp* had some amendments to propose as riders after the Bill was read a third time, which would perhaps lessen the hon. Member's objections.

The Bill read a third time.

Colonel *Sibthorp* objected to the whole Bill, from beginning to end, and would oppose its passing.

Mr. *Maberly* moved a clause, allowing persons having 300*l.* a year clear landed property to appoint gamekeepers, as well as lords of the manor.

Mr. *Paget* opposed the clause, as tending to multiply armed men throughout the Kingdom.

Mr. *John Weyland* was of the same opinion.

Mr. *Benett* supported the clause, and regretted that it did not make the qualification lower.

Colonel *Sibthorp* opposed the clause, and appealed to the candour and fairness of the noble Lord (Althorp), whether he could assent to this clause, which he (Lord Althorp) himself had first introduced, but abandoned in the Committee.

Lord *Althorp* admitted, that he at first thought the clause would do good; but he was convinced by the arguments in the committee that its tendency would be dangerous. He therefore had withdrawn it, and must now oppose it if pressed.

Clause negatived without a division.

Mr. *Strickland* moved the omission of that clause which authorised a single Magistrate to inflict a summary punishment of a fine on persons trespassing on the lands of others in the day-time.

Lord *Althorp* thought, that in making so great an alteration as this Bill made in the Game-laws some severity must be retained.

Amendment withdrawn, and the Bill passed.

HOUSE OF COMMONS,

Saturday, September 3, 1831.

MINUTES.] Petitions presented. By Mr. SADLER, from the Inhabitants of Knottingley, for the introduction of Poor-laws into Ireland; and from the Operative Cotton Weavers of Leyland, for a protecting duty on the exportation of Cotton Yarn; by Mr. PRINGLE, from the Farmers of Fraserburgh and Dause, and by Mr. WRANGHAM, from Owners andOccupiers of Land in and about Sudbury, against the use of Molasses in Distilleries and Breweries; by Mr. CUMING BRUCE, from the Freeholders, Heritorss, Commissioners of Supply, and others of the County of Elgin, praying that County may not be combined with Nairn, under the Scotch Reform Bill; from the Magistrates and Councillors of the Royal Burghs of Fortrose, and Rosemarchy, that the Proprietors of 10*l.* houses, may, in addition to the Magistrate and Council, elect a Delegate to represent them in that House; and from the Corporation of the Royal Burgh of Forres, that that Borough may preserve the right of tendering its Vote by Delegate as heretofore; by Mr. HENRY GRATTAN, from the Dissenters of Knockbreda, for the Repeal of the Irish Vestries Act.

☞STEAM-BOATS.] Mr. Denison presented a Petition from Lightermen, owning craft to the amount of 20,000 tons, praying that the Bill now in the House, for the regulation of Steam-boats in the river Thames, might pass into a law.

Mr. *Ewart* wished to ask, whether it was the intention of the Government to introduce any measure respecting the regulation of other Steam-boats, so as to prevent the recurrence of such a melancholy catastrophe as had lately happened in the case of the Rothsay Castle?

Mr. *Lamb* said, that with respect to the intentions of the Government as to introducing any measure for the general regulation of Steam-boats, he was not at present prepared to give any definite answer. He certainly thought, as an individual, that it was desirable some regulations should be introduced, such as the late unhappy event had shewn to be necessary. The fact, however, was, that there was an Act upon the subject, passed in the 4th year of the late King, but he did not know enough of it to say whether its provisions were sufficient for the object now required. He should certainly direct his earnest attention to the subject; and though he could not pledge himself that any measure would be introduced, he had again no hesitation in saying, that he thought some regulations would be beneficial.

Mr. *Croker* said, that the accident did not arise from the fact that the vessel was propelled by steam; he did, therefore, hope no additional regulations would be imposed on steam-vessels, unless sailing-vessels were subject to the same regulations, for, unfortunately, similarly calamitous catastrophes had occurred, and not long since, with sailing-vessels.

Mr. *Lamb* was of opinion, that as the Rothsay Castle was built for river navigation, she was not so well calculated for the sea. However, as legal measures, he understood, were about to be taken by some of the relatives against the proprietors, he should refrain from saying more.

Mr. *John Campbell* protested against legislating in haste, under the influence of the late accident. Much of the incongruity, and the enormous bulk of our legislative enactments, were owing to their being brought forward without method, and on the spur of the moment.

Mr. *Hughes Hughes* thought, that some previous inquiry ought always to be made into the sea-worthiness of steam-boats, by officers properly appointed, and resident at the various sea-ports.

DUTIES ON INSURANCE.] Mr. Blamire presented a Petition from Workington, against the Duty on Insurances.

Sir *Edward Sugden* took that occasion to advert to the fires in the country, and especially to some in the county of Cambridge, which could only be attributed to the worst motives. He hoped, that before the nights became long, some measure would be devised for the detection of offenders, and for the prevention of the crime. He did not at all mean to charge Ministers with any supineness; but their attention ought to be strongly called to the subject.

Lord *Althorp* said, that Government had devoted much attention to the question, and that a measure was under consideration for the more effectual protection of property.

Mr. *Croker* felt it his duty to state, that, in his opinion, no stronger protection could be given than that it should be known, that Government would be unanimously and strenuously supported by Parliament in all measures which it might think necessary to adopt on this subject, and that men of all parties would lose their shades of political difference in their determination to put an end to a diabolical and unnational practice, which had already disgraced and afflicted the country, and even endangered the whole frame of society.

Petition to be printed.

SLOW PROGRESS OF THE REFORM BILL.] The *Attorney General* said, that he had been intrusted with a Petition from Nottingham, against the delay the Reform Bill had experienced in that House, and praying that it might be accelerated, but as the Bill was now making a more rapid progress than when the petition was agreed to, he should refrain from laying it before the House.

Mr. *Croker* remarked, that when delay was talked about, it ought to be recollected, that we were pulling down a structure that had lasted for past ages, for the sake of rearing a new building, which was intended to last for future ages. This, whatever the petitioners might think, was not a piece of work to be done in a few days. The Committees on the Orders in Council, and on the Duke of York's case, had lasted longer than that on the present Bill, although both those questions were of a temporary or personal nature and of infinitely less importance, both in themselves and in their consequences, than the tremendous experiment which they were now discussing.

Sir *Edward Sugden* said, that as his hon. and learned friend had, upon a previous occasion, charged those who opposed the Bill with offering frivolous and vexatious delay, it was right and necessary that the people of England should be made acquainted with the fact, that so far from the Bill having been delayed by the Opposition, it was not now ready to enable the House to proceed with the discussion. New clauses and amendments were produced from day to day, and the Committee were called upon to discuss and agree to them before they had been printed. He thought it right that these things should be known to the people, and when that was the case, he trusted they should hear no more from his hon. and learned friend, of vexatious delays on the part of those who were opposed to the Bill, and who had only given the Ministers an opportunity of improving the measure, as they admitted that it had been improved, by the alterations it had undergone.

The *Attorney General* hoped, that he had said nothing that looked like an accusation of delay against the other side.

Mr. *Croker* reminded the hon. and learned Gentleman, that it was he who, on a former occasion, had talked of "frivolous and vexatious opposition" to the Reform Bill.

SCOTCH REFORM.] Mr. *Pringle* presented a Petition from the Noblemen, Gentlemen, &c. of Selkirk, praying that that county might not, by the Scotch Reform Bill, be united to Peebles, with which it had little or no connexion, being separated from it by a wild mountainous country, thinly inhabited, and with scarcely a thoroughfare. Their public business was conducted under separate statutes, and on different principles. They were not calculated for any political union, and the effect would be, that the lesser county would be disfranchised.

Mr. *Cutlar Fergusson* assured the House, that the measure for uniting the Scotch counties had excited much attention in that country, and had produced great discontent, but at present he would content himself with giving notice, that he would move, as an instruction to the Committee on the Scotch Reform Bill, that the present number of Scotch county Members should not be diminished.

An *Hon. Member* said, as this was the only instance of uniting counties in the whole of the three Reform Bills, he should certainly oppose it.

MALT DUTIES.] Sir *George Clerk* presented a Petition from certain Corn-distillers of Scotland, against the Act 4th George 4th, which allowed a drawback on spirit made from malt only, and the petitioners therefore prayed, that the drawback should be abolished. He presumed he had no occasion to call the noble Lord's particular attention to the petition, as the revenue, as well as the petitioners, was deeply interested.

Lord *Althorp* recommended an inquiry before a Select Committee, that he might make himself fully master of the subject.

Mr. *Leader* said, the appointment of a Committee would cause much delay when the subject was most pressing. The Irish distillers were suffering from the defective state of the law, as well as the Scotch.

Lord *Althorp* assured the hon. Gentleman, that he was most desirous the question should be settled with the least possible delay, and he thought, the most effective way to attain that object was, as he had just stated, to send the case before a Committee.

Sir *George Clerk* agreed with the hon. Gentleman, the member for Kilkenny, that the appointment of a Committee would cause delay only. They had a pretty good specimen of this from the proceedings of the Committee appointed to consider the propriety of admitting molasses to be used in breweries and distilleries. He hoped the noble Lord would bring forward some remedial measure on his own responsibility, when his other avocations (as he knew the noble Lord was at present much engaged) would permit.

Mr. *Jones* said, the arrangements at present in existence, had completely put down illicit distillation, and he, therefore, trusted, the utmost caution would be used in making any alteration.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-SEVENTH DAY.] Lord Althorp moved the Order of the Day for the House to resolve itself into a Committee on the Reform of Parliament (England) Bill.

Mr. *Hughes Hughes* said, that he was sure he should be pardoned for availing himself of that opportunity of intimating to his Majesty's Ministers, and to the House, that it was not his intention to follow up the notice he had given of re-urging,on the bringing up of the report, his motion for the erasure from the Bill of all words affecting, or referring to the division of counties. He thought it due to himself to state, that he was not influenced in that decision by taunts or threats on the one hand, or importunities on the other—motives by which he hoped he should never suffer himself to be influenced in the discharge of his parliamentary duty. The only representations to which he should have thought it right to pay any attention, would have been those of his constituency, but he begged to mention it, as greatly to their honour, that, unlike his brother liverymen of the city of London with reference to their Representatives,no one of his constituents had,on this Bill or any other subject, attempted to instruct him, or to interfere with him, in the honest and independent discharge of his duty. The House would remember that, when he first lifted up his voice against the clause for the division of counties, that division was to have been effected by a Committee of the Privy Council, to which he never could have consented, A new pripr of the Bill, however, appeared, which provided that the division was to be intrusted to certain Commissioners, to be appointed by Parliament; but as their report was made final and conclusive, and they were irresponsible to Parliament, he still retained the strongest constitutional objections to the clause. A further revised edition of the Bill came out, which made it necessary that the report should have the sanction of both Houses of Parliament. Still his objections, though materially lessened, were not removed; inasmuch as Parliament was only allowed to refer back to the report of the Commissioners for one revision and amendment. Last night, however, the noble Lord (the Chancellor of the Exchequer) proposed a further alteration, which would enable either House to send back the report for revision as often as it should see fit. After these most important improvements, it appeared to him that he should not be warranted in re-agitating the question; but that he ought to take this the earliest opportunity he had had of expressing his sincere hope, that the public would endeavour to be satisfied with the clause as amended; at any rate, he thought it his duty to withdraw the notice which he gave.

Sir *Charles Forbes* said, that Petitions which had been presented from Scotland, complaining of the delay of the Reform Bill, he had reason to believe emanated from Members of that House who had written to their constituents to prepare them.

Mr. *Gillon* must deny, in the most unqualified terms, that the petitions which he had presented had emanated from him: they were the result of the feelings of his constituents.

Sir *Charles Forbes* said, he had never meant to attribute to the hon. Gentleman the dictation of the petitions, because some of them were expressed in such language that he could not venture to present them.

The Marquis of *Chandos* was desirous of asking the noble Lord (the Chancellor of the Exchequer) whether intelligence had been received by the Government of any proceedings in the West-India Islands upon the subject of the Reform Bill. He had been informed that great excitement had been created by the Bill, as being calculated to deprive them of all Representation. He understood that a delegate had been sent from the island of Grenada to represent its feelings on the subject to the

Government, and that the excitement was so great as to create considerable apprehension for the consequences.

Lord *Althorp* stated in reply, that Ministers had not received any official communications on the subject.

Mr. *Croker* said, it would be much for the convenience of the House to know the course contemplated by the Government with regard to proceeding with the Bill. Perhaps the noble Lord would have no objection to fix (on the agreeable supposition that they should get through the Committee before the Coronation) the day upon which the Report should be taken. To shew that he had no desire for unnecessary delay he would suggest the Tuesday following for taking the Report. If that were generally understood, it might greatly tend to the convenience of Members, as well as to the more regular disposal of that question.

Lord *Althorp* said, that he had certainly great pleasure in answering a question upon such a supposition. He should propose, that immediately upon the Committee coming to a close, to have the Bill reported *pro forma*. With regard to the discussion on the Report, he had intended to name Monday, but as the right hon. Gentleman had mentioned Tuesday as more convenient, he had no objection to take Tuesday.

Mr. *Croker* suggested, that it would be a great relief, after the unprecedented fatigues which Members had undergone, if the adjournment included Friday as well as the day of the Coronation.

Lord *Althorp* said, that under the state of public business he should not feel justified in proposing an adjournment over Friday.

The House went into Committee.

The Chairman put the 31st clause, empowering the Judges of Assize to name Barristers to revise the lists of county voters. After the words, " And be it enacted that the Chief Justice of the Court of King's Bench " it was proposed to insert the following words " for the time being."

On the question being put,

Sir *Charles Wetherell* rose to make the objections which he entertained to this clause. He trusted they should no longer be charged with vexatious delay by the Attorney General when numerous Amendments were daily proposed by the authors of the Bill. He thought it right that the public should be disabused as to the real causes of that delay; indeed, the public were beginning to be aware that the delay was not chargeable, in the words of the Grenville Act, as " vexatious and obstinate" on the part of the Opposition side of the House, but was wholly owing to Ministers themselves, who, ignorant of their own measures, were incapable of affording the necessary information of its principle and details. It was now a frequent subject of complaint in those public journals which were loudest in the cry for the Bill, that Ministers did not meet the objections of its opponents with fair arguments and seemed incapable of affording satisfactory explanation of the motive or end of their own clauses. The fact was, they did not know themselves what they would precisely be at, and therefore were never two minutes together of the same mind as to the construction of any single clause in the whole measure. Hence the thousand and one changes and metamorphoses which the Bill had undergone since its first promulgation; rendering it impossible that the public and the House at large, or even the Ministers themselves should be thoroughly acquainted with its actual provisions. He should like to know how hon. Members pledged to " the Bill, the whole Bill, and nothing but the Bill" of last April, could reconcile it to their constituents that they had voted for another Bill which was as different from the " whole Bill, and nothing but the Bill," as it was possible any two measures relating to the same topic could differ. The present clause, for example, had undergone, like the Bill itself, some five changes, and was very different from that originally issued from the Ministerial press. This last edition was yet wet from the press, so that time was hardly afforded for hon. Members to make themselves acquainted with its new form of transmigration. And so it was with the Bill in its other details; change after change was introduced, requiring a new edition after a new edition to be issued from the printer's. With all his exertions he was unable to keep up with this race of reprints: he had not time to expose them to an evaporating process of drying, and was frequently, as with respect to the last reprint of the present clause, obliged to take up the sheets in a state of dampness which might alarm a practitioner apprehensive of Cholera Morbus. It reminded him of a certain city club, which in the time of the war was known by the title of the " Wet-Paper Club," from its receiving newspapers and loose sheets wringing wet from the press, and reading them without drying, so great was their anxiety to obtain early intelligence. He had come down to the House that morning at eleven o'clock, in order to see the clause which they were now called upon to pass, and it was put into his hands in a damp, disease-giving, pestilential state. But as there were some rooms in the House with fires, he had shunned the example of the "Wet-Paper Club," and had aired and dried the production, and made himself ready to enter into the merits of the question. The Bill was so completely altered—it was so much darned, so mended and remended—that, like Sir John Cutler's stockings, not a thread of the original workmanship remained. Having thus set himself *rectus in curia*—having shewn that not one stone was left upon another in the parliamentary edifice—he should proceed to the clause now under consideration. The object of this thirty-first clause was, to establish a certain species of Court to try causes under the Bill, but it was a sort of Court of Oyer and Terminer. No name was given to it in this Bill. They were not told what it was to be called—perhaps a Court of Parliamentary Assize. In the first Reform Bill he did not know how many there were of them, four or five at least. However, in the first Bill the principle was confined to counties: here it was extended to towns also. Now, what sort of a Court was this to be? Who were to be the Judges? What was to be their authority? In what ermine were they to be clothed? There was a most extraordinary provision at the end of this clause, which appeared as if placed there accidentally, and by this clause no Barrister who officiated in this new Court was eligible to sit as a Member in that House within less than eighteen months after an election. Would that House consent to a power like this which disabled Barristers from being returned, while the thirty-one Commissioners were left untouched? All or any of the Commissioners might be returned as Members to sit in that House, with the exception of the Lord Chief Baron of Scotland, whose name should never have been placed on the list; but he supposed the object was, to make the thing less difficult of digestion, by placing the name of that eminent person among many insignificant names. What reason was there for thus throwing suspicion upon the Barristers? He objected to this Court in the first place, because it was a dangerous novelty. The House of Commons had from time immemorial endeavoured to keep within itself, and not to impart to any other authority whatever, the control and protection of the constituent body. This was the policy observed from the earliest time down to the Grenville Act, and in the reign of Queen Elizabeth and of James 1st, Committees of Privilege were appointed. Let it be observed, that the Judges of this new Court were not to be appointed by the House itself, but by the Chief Justice of the Court of King's Bench, subject to the revision of the Lord Chancellor. It had been always one of the great boasts of this country, that the judgment-seat was altogether disconnected with politics, that no ground should be left even to suspect the intrusion of party opinions or party considerations into the administration of justice; and the wisdom of this was a theme of praise with Montesquieu, and with all the great men who had written upon the legal institutions of England, and upon the English Constitution. This clause appeared to him one of the very worst and most objectionable parts of the Bill. It was true that an appeal lay from these new Judges to the House of Commons, but that was very far from removing the objection, for the great objection was the unconstitutional manner in which they were to be named by the Chief Justice of the Court of King's Bench, subject to the revision of the Lord Chancellor. Had any thing of this kind been proposed in the time of the Stuarts, had an attempt been made in their days to vest a Chief Justice or a Lord Chancellor with such authority, what a clamour would have been raised? It would have produced, and most properly produced, a flame of dissatisfaction throughout the country. It was all nonsense and mummery to say, that the appointment would not be really and effectually in the Lord Chancellor, though nominally in the Chief Justice. Were he a Judge he would not accept of such an office; he would say to those who offered it, do not mix up, even in appearance, the administration of justice with politics—do not desecrate the character of the Judges of the land by so impure a mixture as this. The Barristers thus appointed might, through inadvertence, or ignorance, or from design, act improperly; and if they did so, must not a shade from their misconduct be cast on the Judge who appointed them, even though he merely nominated them? A reaction must take place, greatly to the prejudice of his judicial character. However the matter might be disguised, the appointment must be effectually in the Lord Chancellor; and, be it remembered, that he was not only a Judge, but a member of the Cabinet, a political character. He did not argue this case *ad hominem*—he did not consider the individual, Lord Brougham and Vaux, his noble and learned friend, who at present filled the office. No such thing. His objection applied equally to all times and all places. It was a constitutional objection. The next consideration was, how these Barrister Judges were to be treated—how they were to be dealt with—and certainly they were dealt with most scurvily, for they were supposed to do wrong by anticipation. Were he a Barrister of only a year's standing, he would not condescend to accept of such an office. It was proposed to treat them with the suspicious, degrading, watchfulness, with which Excise officers were treated. A Committee of that House was empowered to make them pay costs for what that Committee might think corrupt practices or wilful misconduct. Thus were these unhappy Judges, predestinated not only to contempt, but also to expense. These Judges were met with in other parts of the Bill as well as in this. They were shewn up, also, in clause 25th. *Ecce iterum Crispinus*, and how were these unhappy men, these judicial malefactors, treated here? Why it was provided, that even for an accidental departure from the provisions of this Bill, a departure, perhaps, occasioned by ignorance or inadvertence, or any of the numerous causes of innocent mistake, they might be proceeded against by action. "That, if any Sheriff, Returning Officer, Barrister, or any person whatsoever, shall wilfully contravene and disobey the provisions of this Act, or any of them, with respect to any matter or thing which such Sheriff, Returning Officer, Barrister, or other person, is hereby required to do, he shall, for such his offence, be liable to be sued in an action of debt in any of his Majesty's Courts of Record, &c." Thus it appeared, that any accidental error might entail upon them expense and costs. He should like to know, for it was not mentioned in the Bill, what was the price to be put on the heads of these eminent individuals, these dignified and independent Judges—to what amount they might be punished in fine or costs? Was it 5*l*. or 6*l*. or 10*l*.? They were punishable for the most trifling dereliction of duty, whether voluntary or not, like a common Excise officer, who should go into a soap-boiler's at the hour of ten, in place of nine. Was this the sort of tribunal before which the Constitution of this country, the whole constituency of England, and their elective rights, were to be pleaded and unpleaded? Now for the salary of these high judicial officers. And what was that to be? Five pounds a-day while in the discharge of their functions. Surely, if they possessed the necessary learning, the proper attributes and qualifications for the office, the pay ought to be more than this. As the counties were to be divided, and each division, he supposed, would have a separate Judge, there could not be less than sixty-five of them altogether. This was rather strong, particularly for a Ministry like the present, for Gentlemen whom it was thought the very name of patronage threw into a fever. One of their pledges was economy, but certainly this new judicial establishment did not shew much disposition to redeem their pledge. Were the Barrister Judges to be paid out of the county rates or by the towns? There was no other pocket to dip into but the Treasury, and the Treasury must pay all, because Ministers knew very well that the clause must fall to the ground, that the country Gentlemen would throw it out, if an attempt was made to throw the burthen on the county rates. This was not all. These Judges could not do the whole business themselves. They must, like other Judges, have a Secretary or a Clerk to assist them, and various other officers must be paid. Where was the money to come from? Did the noble Lord (Lord Althorp), in his plethora of generosity, propose to throw the whole into the Miscellaneous Estimates? He did not know what the charge might be? The member for Middlesex, if he were present, could tot it up in a moment, but he might safely say, it would cost something very close upon the heels of 20,000*l*. a-year. This clause was unconstitutional, unjust, and would prove to be very expensive; it would give trouble and anxiety to the Overseers of different parishes, and would confer such a degree of power on the Commissioners, that he felt it his imperative duty to oppose it. It was said, that under this clause the attendance of Counsel could be dispensed with at all future elections, while he thought they would, henceforward, be much more necessary than at present. He had before objected to a Registration Bill, without reference to this question, and his objections to it were strengthened upon this occasion. If they were to have a preliminary Court, they must endow it with qualities which were not to be found in this Bill, or else they would increase the injustice which they created; in short, they would expose it to all that contempt which he had not vainly attempted to cast upon it. He objected to the clause altogether, as unconstitutional, and calculated to create expense and promote injustice. The hon. and learned Gentleman concluded by moving, that the words of the clause by which the Barristers to be appointed under the Bill were to be approved of by the Lord Chancellor, be omitted.

The *Attorney General* thought it was impossible that any one should have listened to his hon. and learned friend, without having been entertained with the wit and good humour of his speech; the only fault he had to find with it was, that it was pretty much made up of observations he had before made. Last night the same arguments were used. He would not deny, that his hon. and learned friend, with great facility and felicity of illustration, had varied the amusement he afforded the House, but still his arguments were the same as those upon the registration clause, and were then satisfactorily disposed of. He would not say whether the opposition to the Bill had been frivolous and vexatious, or whether it was such as to justify complaint; and as he saw a disposition on the other side to argue the question upon its merits, he was perfectly ready to give credit to the Opposition, and to meet them on their own ground. However much he might lament the truth of his hon. and learned friend's observation, that some of the friends of the Bill had thrown obstacles in its way, yet that proved that they did not form a servile majority, bound to vote for all the details of the measure without discussion. Indeed, it seemed, by the number of notices which had been given, that they had been taunted into shewing their independence, although, in the present state of the Bill, it had been thought more prudent to withdraw those notices. Observations had been made upon the changes made in the Bill, and upon bringing in clauses from time to time; but it could not be considered a fault, that his Majesty's Ministers had been ready to listen to suggestions for improving the Bill, and had actually adopted some proposed by their opponents. They very naturally looked with suspicion on the suggestions made for improving the measure, by those who professed themselves enemies of its principle; but still they were willing to receive suggestions both from friends and enemies, to discuss them, and, if they thought them good, to adopt them. His learned friend had referred to the language of the newspapers, which was frequently alluded to, with a declaration of contempt for what they might say, which, although hardly consistent with that constant appeal to them, tended to give them a weight not belonging to them. He respected public opinion, and the newspapers as its organs; but he denied, that public opinion was to be found from day to day in the columns of any particular paper, which might say, this week "you have not done enough, last week you did too much." He said, that public opinion had vindicated its independence; and, although the surface might have rippled, its great tide had, from the introduction of this Bill to the present moment, been constantly and steadily flowing in the same course of favour to the measure. He saw not the slightest symptom of drawing back from the great principles on which the Government appealed to the people. From the first to the last they had approved of the Bill, which, after it had been so long in Committee, was not materially altered. According to his hon. and learned friend, this clause did not involve a mere question of expense or of inconvenience, but it was a clause subversive of the constitutional privileges of the House, which was to place the country in the dreadful situation of having all the elections influenced by his Majesty's Ministers. His hon. and learned friend had given notice that he would move a resolution, "That the establishment of Courts in which Barristers, to be approved by the Lord Chancellor, or the Keeper of the Great Seal for the time being, are to act as

Judges, and to decide on the right to the exercise of the elective franchise, will introduce a principle unknown in the history of the Constitution, and highly dangerous to the independency of the House of Commons, and the general body of their constituents." This notice led him to expect great things from his hon. and learned friend, but his resolution had dwindled down to this modest motion, "that the words in the Bill, by which Courts were to be established in which Barristers, to be approved by the Lord Chancellor, are to decide on the rights of the constituent body of this House be omitted." What had become, then, of the grandiloquent resolution his hon. and learned friend had threatened, and whoever heard of a great constitutional complaint by a great constitutional lawyer being introduced by such a speech as that of his hon. and learned friend. It was so overlaid with witticisms upon the wet paper clause, the Barrister Judges with only *5l.* &c. that it was difficult to discover the constitutional points in the speech. Certainly no one coming into the House accidentally would have imagined that his hon. and learned friend was rescuing the Constitution from a set of spoliators, who by this clause were introducing some unknown and dangerous principle. The mode in which his learned friend had argued this question proved that he could have entertained no such idea. "What," said his learned friend, as if he was stating a great difficulty, "will you call this Court?" They might call it the Court of Registration. The Barristers employed as Judges were declared ineligible to sit in Parliament for the borough or county towards which they acted as Judges. Was that wrong? His hon. and learned friend admitted that it was not; but (said his hon. and learned friend) why were the Commissioners not excluded also? Why did his hon. and learned friend not propose that, if he thought they ought to be excluded? Nothing but the extreme ingenuity of his hon. and learned friend could for a moment have made these appear parallel cases. A Barrister was to decide on the right of voting in a certain county or borough, and it was thought right that he should not, for a period of eighteen months, become a candidate for that county or borough; but what resemblance did his office bear to that of thirty-one Commissioners, who were to divide counties, and fix the boundaries of boroughs? Why some Members of the present House were on the Commission, and not a single objection had been uttered against it. At least, he had heard none, and certainly they could not have rested upon any good foundation. It was objected that the Lord Chancellor was to have the appointment of the Barristers; but that was a mistake, for he was only to approve of the appointment made by the Judges, that he was to have a negative upon the appointment; but, into that question he need not enter, for, as the House had approved of the whole of the registration part of the Bill, he might take it for granted that it was a judicious and proper plan. His hon. and learned friend seemed to think, there would be a difficulty in finding men of such knowledge as would give weight to their decisions, to fill the character of Judges in the Court of Registration. But, unfortunately, in all the Courts, there were many Barristers without immediate employment in their profession; ay, hundreds of extremely accomplished and enlightened men, perfectly competent to take upon themselves the duties they would have to perform under this Act. Their character and station at the Bar would be securities for the due discharge of their duty; and the circumstance of their being appointed by a particular Judge would not militate against their respectability. His hon. and learned friend said, that their appointment should have nothing to do with politics. Nor would it have, for the Chancellor's *veto* was not in the nature of an appointment; and, if he did not approve of the choice made by the Judge, it was the Judge who would have to make another; but it could not be supposed that the Chancellor would refuse to sanction the appointment of a party against whom he had not a valid objection. He did not mean to say, that it was impossible; but, looking to the every-day events of life, it was extremely improbable. The vice of every argument urged against the Bill was, that it was founded on extreme cases, which might, by possibility, occur, but which were not likely to occur. The hon. Gentlemen opposite had spoiled the effect of their own arguments, by making every thing out to be so very bad. Every clause, as it had successively come under discussion, had been the most unconstitutional and dangerous in the whole Bill. But, as every thing could not be most dangerous, the House had come to the conclusion that there was nothing in the Bill so very bad as the hon. Gentlemen opposite would make the House believe. What, said his hon. and learned friend, would a Puritan or Whig of the time of the Stuarts say to a Judge appointing Barristers? But the Puritan or the Whig of those days, would have had an argument which his hon. and learned friend had not, for the Judges were then dependent on the will of the Crown, and could be removed upon any offence being given either to the King or his Ministers. The consequence was, that the names of the Judges of that time stunk in the nostrils, and their acts were looked upon with a degree of horror which was a security against similar conduct in the present Judges. His hon. friend had deprecated the appointment of these Judges being with the Lord Chancellor. In this respect he had mistaken the matter altogether. The Lord Chancellor had only to approve, and not to appoint. True it was, that it finally remained with the decision of the Great Seal, as to whether the appointment should take place or not; but every one must see that the best results would arise from such a regulation. By the appointment of these men, the public had the security and respectability of the Bar, and the *veto* of the Great Seal as a pledge that these Judges would do their duty. His hon. and learned friend had stated, that these Judges would be liable to actions. Did his hon. friend forget, that the present learned Judges of this country were subject to the same thing? Did not the hon. and learned Member know, that a Judge, who refused to sign a Bill of Exceptions, or a writ of *Habeas Corpus*, was liable to the penalty of 500*l.*, and more, that Judges were not formerly allowed to try causes in their own county? But, upon the subject of the remuneration to be made to these Barristers, he must own, that he had a word or two to say, because he did not know how the suggestion which had been made was to be followed up, if the allowance per day, to be paid to these gentlemen, was now proposed to be 5*l.* He wished the remuneration were fixed in guineas instead of pounds, that being the more usual way of requiting the services of professional men; though, perhaps, had such sum been named, the hon. member for Middlesex might have said—"Roses will not blow in winter; we cannot afford the difference in these times." Certainly, even 5*l.*, he confessed, was very hard to be got, and he was, therefore, the more certain that this office would be one of such respectability and responsibility, that it would be a high temptation to men of talent. He was not disposed to enter into any long discussion as to the propriety of Barristers being called upon to act in the manner suggested by this clause, or to recur to what might have been the duties imposed on the Sheriffs, who formerly were the returning officers. Ministers desired that certain Barristers, to be appointed by the Judges of Assize, and approved of by the Lord Chancellor, should exercise a judicial office; and, if there was any symptom of corruption or partiality proved against persons so appointed to revise the lists of voters, that penalties attach to the individuals, and an appeal be allowed to this House. In case of any party suffering under the influence of such corrupt or partial administration of the office, an action would lie against the individual causing any loss or damage to the voter; these Judges being amenable for their conduct, and for any injury which they might cause. But his hon. and learned friend appeared to forget these circumstances. Supposing the Barristers, without any responsibility, and not amenable to the parties, was it possible to imagine the extent of censure which would justly have been passed upon the Ministers for such an omission? They would have been accused of omitting a very important qualification, without which we could not press the clause at all. The employment of these Barristers could not, by possibility, affect the privileges or proceedings of Committees of that House, because it would be free to upset all that the Barristers did, and it would also have the power of treating them as delinquents, while the superior Courts might compel them to pay costs, if found guilty of corruption or partiality in the discharge of their duty. The people of England were firmly convinced, that an entire Reform in Parliament was necessary; and, therefore, it was not proper, on every occasion, day and night, to fight over and over again the battle of schedule A or schedule B. Hon. Gentlemen forgot, that the principle of the Bill had been admitted by the House, and adopted by the country;

and it was, therefore, highly objectionable to raise discussions on its general principle, or refer back to parts of it which had been already sanctioned by the House. The principle of the Bill having been once determined upon, the course pursued by his Majesty's Government was, he apprehended, the best suited to carry that principle into effect. Looking generally to the course which had been pursued, and to the arguments which had been used by the hon. and learned Member, he could not wonder that his observations did not fall with such weight as might be expected. He would only add to the remarks he had already made, that he was satisfied that men better fitted for the office proposed to be given them than Barristers could not be found, and, therefore, he hoped that the Committee would agree to the clause.

Sir *Edward Sugden* begged leave to offer one or two observations to the Committee, as the Attorney General had taken the opportunity, when the Committee was about to close its labours, to enter into the general question which the Bill embraced, and, at the same time, condemning such a practice on the part of other hon. Members. He had assured the House, that the public opinion upon the subject of Reform remained unchanged. This must have been said for the purpose of promoting a discussion. Was it the wish of the learned Attorney General, that they were to go over the general question again—that they were again to revert to the elections of Weymouth, Dublin, or any other place? He was not one of those who took up and ran away hastily with any opinion, without good and sufficient evidence; and he would not, therefore, stop to argue whether a decided change had taken place in public opinion or not, with regard to this measure, but he knew what his public duty demanded from him, and he felt, that in his capacity as a Member of that House, he had to consider what course suggested itself to him as the best to pursue, without reference to whether that course was in accordance with the wishes of the people or not; and no man was more to be lauded than one who had the courage, in times like these, to avow his opinions freely; and, for himself, he trusted he might be permitted to declare, that he had never delivered an opinion in which he had any secret motives, nor had he entertained any other opinions than those which he had expressed openly and fairly, though his hon. and learned friend seemed to think that he had volunteered a systematic opposition to this measure. He must remind his hon. and learned friend, that he had, from time to time, broached propositions which had been considered, and, in some cases, adopted; and he really thought, that the learned Attorney General made a very ill return for the assistance he had given to the measure, when he talked of delay. With respect to the clauses, however, generally, he confessed he was not able to understand them, though he had given the greatest attention to the Bill as printed; but how did that arise? From the repeated alterations made in the Bill itself: after having read it over in the morning, with the view of forming his judgment upon matters to be argued in the Committee, he found, on coming to the House, that there was a new clause to be considered. The Attorney General said, this measure was a great boon which they were about to grant; but could any man tell him what this great boon was? Could any one properly define the clauses by which it was to be conferred? As to the general question or principle which this Bill involved, he did not desire to enter at length into it, not being anxious to follow the example of his hon. and learned friend, though, indeed, he did not find fault with him for discussing the general question, for his observations had been so long locked up, that, like a schoolboy who obtained a holiday, he had not known where to run, and was, therefore, to be excused for playing the truant on this occasion. He, however, intended to confine his observations within a narrow compass, not wishing to add one word to what had been so ably stated by his hon. and learned friend (Sir Charles Wetherell), although he did not agree with him entirely on some points. He wished to know, what was the ground or principle upon which the Lord Chancellor had this *veto* given to him, in the approval of the Barristers chosen? Here he must say, that nothing in the world was further from his intention, than to mix up the present Lord Chancellor in this discussion, disapproving, as he did, of this clause. He did not go along with his hon. and learned friend, as to the appointment of these Barristers; because, if the Committee thought proper to adopt the clause, if no other plan was suggested, they must, necessarily, put up with those persons, and he knew of no better arrangement than that the appointment should rest with the Judges, who could best estimate their fitness and abilities to fill the situations; but he thought it would be dangerous to allow Barristers so appointed to go on circuits. (No man could be less inclined than he was to say anything disrespectful of a body of men, than whom any more respectable did not exist). He said this, because, identified as he was, and had been for many years with them, he entertained an affectionate regard for them; but he thought, that when young Barristers got connected with Solicitors (which they, of course, must do), there would be some danger in allowing a Barrister, connected with the leading Attornies in a particular district, to officiate in such district, because a great influence might, by possibility, be exercised over him. He spoke of Barristers in such a case as men open to the same temptations, and equally swayed by the circumstances which generally influenced other men, and, therefore, he said, do not give a power that may be abused. The office proposed to be thus given to Barristers, was one of the utmost importance to the whole constituency of England, and, therefore, every care ought to be taken in delegating such great powers to individuals, who, by making up the lists of voters, had confided to them some of the dearest interests of the country. He apprehended, that the two questions involved in this case, and which remained for the Committee to decide, were, first, whether Barristers, sufficiently qualified, would accept the employment; and, secondly, whether the appointments would be made by the right person. He had already stated, that he thought, as to the appointment of the Barristers, the Judges of Assize were, perhaps, the fittest persons to have this power, and he now had only to deal with the *veto* of the Lord Chancellor, to which he had a decided objection. He had heard the most eloquent eulogies passed on the character of the Judges of England, and no one could have a higher opinion of them than he had; it formed one of the greatest blessings of the land, that we had in the present day Judges, upon whom not the slightest breath of suspicion, in any way, had ever rested; but the same could not be said of some previous appointments. If they looked back, some names could be found which were a reproach to the country. But, if the Judges of the present day, were justly entitled to these eulogies, he asked, where was the necessity of the Lord Chancellor's *veto*, because the Judges were the most competent persons to decide as to the appointment of Barristers, who were, of necessity, known to them professionally; and, if their characters were above suspicion, why should the Lord Chancellor interfere? He said, that by giving this *veto* to the Lord Chancellor, they cast a stigma upon the Judges which ought not to be tolerated. He desired to live under a system of law that worked for the common benefit of all men, and he confessed he should look with suspicion on any case in which a Lord Chancellor might think fit to contravene the appointment of the Judges, or to displace an individual who had been once put into office. Was it for the purpose of making changes that these Barristers were to be appointed, and the *veto* given to the Lord Chancellor? He knew the noble Lord, who now filled that office, meant what was right and proper, and he was far from imputing to him any improper motive; for, warm as he was, and really in earnest in what he declared to be his sentiments, he should be sorry to withhold his conviction of the correctness of the noble Lord's intentions. So objectionable, however, did he consider that part of the clause which gave the *veto* to the Lord Chancellor, that he proposed to strike it out. He spoke of the Lord Chancellor, not as a great judicial officer, but as the head of a political party in the State; and, as a time might arrive when a very unpopular Chancellor was in office, the appointments made, under such circumstances, would be likely to create great dissatisfaction. With respect to the manner of remunerating these Barristers, he also saw great objections. He looked upon it as an arrangement which would go to effect an alteration in the character of the Bar. If Barristers were to be placed in the situations proposed, act towards them as they deserved; but, by this Bill, a blow was directed at the character of the Bar itself. He found, upon reference to the 42nd clause, that it was there provided, that Barristers should be punished by being compelled to pay costs, in the event of partiality being proved against them, through a petition laid before a Committee of this House. He looked with suspicion at any such clause. If they were guilty of misconduct, let them be degraded at the Bar, that was the best safeguard to ensure honourable conduct among them; but what he complained of was, that this measure was calculated to advance and degrade them at the same time—they were placed on a pedestal, and when there, it was said, "Oh! we have a suspicion of you, you must come down." The only other question which occurred to him at the present moment to remark upon, was, perhaps, a very inferior one; he was sorry to see that *5l.* per day was the amount of remuneration proposed. Every one knew that Barristers did not usually receive their fees in this way; they were always paid in guineas. But what he wished to call the attention of the noble Lord to was, that the remuneration proposed, was not adequate to the importance and responsibility of the office; and he could not think the country would call upon any man to act, without affording him a proper remuneration for his services; and, therefore, he said, give these gentlemen a fair and sufficiently liberal reward; particularly if they were to be prevented from going on circuits when they practice. Further, he objected to the stipulation made in a clause of this Bill, that these gentlemen were to submit their accounts to be verified before a Judge. No gentleman could avoid finding fault with a condition which subjected him to be placed under a sort of overseer; that, however, was only a suggestion; but, against the *veto* of the Lord Chancellor, he did most strenuously complain.

Mr. *John Williams* had remained silent during these long protracted discussions, not from any indifference towards the subject, nor from having failed, to the extent of his means, to form an opinion upon it, but from a motive, venial, he trusted, in that House—an apprehension lest, in the failure to produce something new, it might be thought, that he ought rather to listen to the observations of others, than to offer any of his own. In one respect, at least, he had reason to be satisfied with the course he had pursued; that was, that he had escaped the censure applied to those friends, real, or pretended, of the Bill, whose cumbrous support had been confined to the case of their own, perhaps somewhat particular, views being gratified. Nor should he now have obtruded himself upon the attention of the Committee, if he had not felt that the objections to this clause were founded on the same assumption as that which had pervaded the whole discussion upon the measure itself—namely, that it was introduced for the sake of change, and for that purpose only, without the existence of any complaint or mischief to which a remedy ought to be applied; whereas, if no general scheme of Reform had been attempted, he felt satisfied, that the flagrant abuses attending contested elections, would have demanded immediate attention and correction in the opinion of the country. Had his hon. and learned friend, the member for Boroughbridge, forgotten the sensation created, amongst all classes and descriptions of men, by the operation of that admired, and, in his view, faultless, system? Could it have escaped him, that, under that system, the expenses had been found to be so great and ruinous, that, in the kingdom of York itself (for it was hardly doing justice to call it a county), no gentlemen could be found to come forward as candidates, from a well-founded dread of the effect upon their fortunes? Had not the whole kingdom witnessed, with indignation, the profligate expenditure and corruption which prevailed not long ago at Liverpool? So far, therefore, was he, from being critical in marking and exaggerating the defects of this part of the plan, which was to regulate and abridge the expenses at the poll, that he considered it called for by the unanimous voice of the country. But, as to the particular scheme itself. It had been asserted, that the Barristers, with whom the correction of the lists was to rest, might be partial and unjust in the execution of their duty. Did it not occur, however, to those who made that observation, that, under the present system, it was just possible, that the Sheriff or his Assessor, or both, might be vehement partisans of some particular candidate? in favour of whose interest, could it not be conceived, that gross and flagrant partiality might be committed; and did his hon. friends mean to say, that they never heard of instances of such complaints? The different time, also, at which the duty of the Barrister and the Sheriff was to be exercised, was much in favour of impartiality in the conduct of the former. He was to correct the lists years before any contest took place, or, probably, was even thought of, in total ignorance of the candidates and their wishes; whereas, the Sheriff was called upon to act, with all his feelings and prepossessions heated by the pressure and bustle of a contest. So far, therefore, as the objection which he was considering went, he thought the preference might fairly be given to the new, over the old, system. Then it had been said, there was no fund out of which such a demand for Barristers could be supplied, and that no one fit for the employment could be found to accept it? His hon. friend, the member for Boroughbridge, had been very facetious in exaggerating the prodigious "flights" of Barristers who would traverse the country, and the inconsiderable remuneration which they were to receive for their labour. He could not, however, agree with him in this view of the subject. Gentlemen were, probably, not aware of the number of professional men who were more fitted for the performance of business, than in the actual possession of it. Success and merit were not so actually identified as might be supposed, especially at first. Good fortune, friends, and sometimes, perhaps, circumstances less creditable, had a large share in their advancement. Certain it was, that his hon. friend opposite, in whom fortune and capacity were united, might, indeed, look down with contempt upon the proposed employment; but he had no doubt that the requisite number of Barristers might be supplied from the different Courts of Westminster Hall, without any danger of the plan standing still for want of sufficient persons to perform the duty. Next came the objections to the mode of appointment, in which it was visible, that his hon. friends were not agreed. The hon. member for Boroughbridge objected strongly to the interference of the Judges at all. He seemed to think, that it was plunging them into political transactions, with which they ought to have no concern, and their interference would be attended with loss of character and respect. His hon. friend, the member for St. Mawes, placed little reliance on that objection, and was, upon the whole, rather of opinion, that the selection could not have been placed in better hands than those of the Judges; but he even went further than any one who preceded him, in his aversion to the *veto* of the Lord Chancellor, and had thought proper to call upon and defy him (Mr. J. Williams) to give any tolerable reason for that provision; notwithstanding which challenge, he had no difficulty in discovering a sufficient reason, and expressing it in the very language which had fallen from his hon. friend, who had said, "that it is not safe to intrust power to any man, or set of men, upon the presumption that it would not be abused," or words to that effect. With this sentiment he perfectly agreed, for it was precisely because it was possible, that irresponsible power, vested in the Judges (however, generally, they might well employ it), yet in particular cases it might be misapplied—it was necessary to place a corrective somewhere, and, if so, it was impossible to leave it with any one but the Lord Chancellor. But here, again, there was danger, according to the hon. member for St. Mawes; and here, likewise, existed a difference between the hon. and learned Members themselves. If the patronage in the hands of the Chancellor was dangerous, it was upon the supposition that it was of some value; whereas, both his hon. friends, and particularly the hon. member for Boroughbridge, had (not quite consistently) represented the situation as good for nothing at all. The House could not have forgotten with what effect his hon. friend had exerted his imagination in describing the supposed treatment which a messenger from the Chancellor into the Court of Common Pleas, bearing with him a tender of some of these appointments, would receive; and that such would have been the indignation of the Serjeants at hearing such a scurvy offer, that the ill-fated herald would not have escaped without the danger of not having one sound bone left in his skin. Such was the representation of his hon. friend; but, then, when another objection was to be put forward, all this must be forgotten, and danger from patronage held up. But it was obvious that there was no such danger, and that the veto was a mere precaution, to which recourse probably would never be had. He had said, that there was an universal opinion prevalent, that the cost of elections ought to be diminished, and, for that purpose, he thought nothing would be found so effectual as shortening their duration. It was, he believed, invariably found, that expenses increased rapidly with delay. Bribery, in particular, was notoriously more practised as the severity of the contest increased, and as it approached towards a close. In this respect he must think, that the scheme would be successful. When once the lists were completed, the rest would be short work. He could not conceive it possible, that the most mischievous ingenuity could raise many difficulties, when the questions mainly were, whether A is A, or whether A and B are one and the same. Granting, therefore, that in the formation of the lists there might be some difficulty, expense, and delay, the benefit to be derived from them was, in his opinion, well worth a considerable sacrifice. When he witnessed the extraordinary exertions of his hon. friend, the member for Boroughbridge, in opposing this clause—exertions which had never been exceeded by him when combating the general principle of the Bill—he could not but admire the soundness of his stamina, and his extraordinary powers of vitality. His hon. and learned friend, who so frequently, and with his peculiar humour, addressed the Committee in the course of these discussions, had, some two months ago, spoken a dying speech—[An *Hon. Member* said it was six months since.] It might be six months ago;

> "We take no note of time but by its loss."

His hon. and learned friend, in an hypochondriacal mood, had prognosticated his supposed dying day, and announced his departure with apparently a death-like sincerity, and almost with religious solemnity, but his end was not then. His hon. friend had only been hypochondriacal as to his state: for he had since survived to fight more general actions and stiff skirmishes than any commander in Europe. His end, however, was, at last, fast approaching. He could not survive much longer; for the materials for a controversial existence were almost exhausted. The clause under consideration involved so intimately almost all that were to succeed it, that the discussion upon it once ended, the House might speedily anticipate that result which had been announced (amidst such general satisfaction) by the right hon. Gentleman, the member for Aldeburgh. Being upon equal conviction, though not with greater sincerity, than his hon. friend, in favour of this clause, and of the general measure, he should give them both his earnest support.

Mr. *North* said, he had been employed in Ireland in professional duties in some degree similar to those to be created by this clause, and he therefore spoke with the benefit of some experience. He must strongly reprobate the introduction of any registration clauses in a Bill for Parliamentary Reform. The two questions were wholly different in principle, but as they had been joined together he would not attempt to separate them. He must complain of the insufficiency of the means which these Barristers would have for the purpose of deciding on each person's right to vote. A Judge in a Court of law had records, charters, and a number of other things to assist him in his decisions; but the Barrister to be appointed by this clause would be without all these, and these Courts would be inferior in dignity and importance to those of the Assistant Barristers of Ireland, who had much more power, and the means of enforcing order and summoning witnesses. The necessary consequence must be, that, even with the best intentions, the Barristers would frequently decide wrong for want of proper information and assistance. He would suggest the insertion of a clause to create the requisite officers for the support of these Barristers—such as a Registrar and a crier—also a clause enabling them to summon witnesses, if requisite. It might be said, that these officers were the necessary appendages to every Court; but it would be better to create them by this Bill. He was as anxious as any man to give the measure the appearance of every possible simplicity, but he would not carry it to such an extent as to render the powers of the Barristers in the slightest degree doubtful.

Lord *Althorp* rose to make some observations on the general nature of the clause itself. As to the remarks of the hon. and learned Gentleman, he begged to say, in the first place, that his opinion on a subject so intimately connected with a branch of the profession, of which his situation in Ireland had given him experience, ought to have great weight in regulating their decisions; but he trusted to be able to prove, that there would be no necessity to adopt his suggestions. One of these was, that the Barrister ought to have power to summon witnesses in support or defence of the cases brought before him. He, on the contrary, did not think that it was necessary to have witnesses at all on such cases as might come before these Barristers, inasmuch as the only parties who would appear before them would be the persons who objected to the insertion of a name on the list, and the person who defended the right; and the only documents which would be required, were the title-deeds, &c. of the property. But even if witnesses in some cases were requisite, he conceived it would be the duty of the parties themselves to bring forward the requisite evidence to support their respective cases. For this reason he did not think, that it was necessary to give to Barristers any power of the kind. The next objection of the hon. and learned Gentleman was, that the ordinary powers for keeping order and regularity in the Court were not granted by the Bill. Again he said, that such a power would be unnecessary. Every legal Court was, by its constitution, invested with all the necessary powers to maintain its authority; and there was a statute in force, expressly authorizing the Sheriff to take into his custody any person who should be found disturbing any place where a legal investigation might be pending. With respect to the proposed rate of to procure a sufficient number of Barristers payment he had only to remark, that the Judges would, he had no doubt, be able competent in every respect, who would think the rate of compensation proposed for their trouble sufficient. So much with respect to the objections of the hon. and learned member for Drogheda. But while he was on the subject, he trusted he might be allowed to make one further observation in reply to a remark which fell from another hon. and learned Gentleman, in reference to the clause which treated of the mode in which this compensation fee was to be paid. It was said, that the proper funds to be made applicable to this demand were the county rates. Now, he was perfectly convinced that, if they had so regulated it, every county Member in the House would have raised his voice loudly against the clause, and they would have done so with justice; he himself, as a county Member had given his opinion that it would be an act of great injustice to pursue the course recommended, and to exact from the county rates such a large sum of money as would be required to defray this expense. There might be some plea for doing so if these Barristers were only to be employed to examine into the lists of the county voters; but when it was recollected, that if these expenses were charged on the general rates of the county, they would be making the counties pay for the correction of the borough lists, as well as their own, he was sure no hon. Member would disagree with him in thinking that they were much better charged on the general revenues of the country; and more particularly, so when it was considered that the measure was intended for the general good. A great deal had been said on the injustice of allowing the Commissioners to sit in Parliament while the Barristers were excluded; he thought the case was very different as between the two. The nature of the duties to be discharged by the Commissioners did not in any way bring them in contact with the voters, and no danger was to be apprehended that, on the occasion of an election, they would be able to exercise undue influence; but was that the case with respect to the Barrister? He would have the opportunity, if an election was expected, so to regulate and influence the lists as to render them subservient to his purpose if he should choose to start as a candidate. He therefore thought the House had exercised sound discretion in prohibiting the Barristers from offering themselves as candidates. Several remarks had been made, to prove that the payment to be given to Barristers, under this Bill, would not be sufficient to induce men of eminence in the profession to take the appointment; but this had been sufficiently answered by the hon. and learned Gentleman. He agreed with him, that Barristers would be glad of such appointments. It would give a Barrister that which was to him a considerable advantage—some notoriety in his profession—which was what all Barristers desired. If the Barrister was to be taken from his circuit and sent to another, where he was less known, or where being known was not so much an object to him—he would then admit that a larger remuneration ought to be given to him; but that would not be the case. Besides, if it was found that the salary was too small, it might be increased hereafter; but if it was made more than necessary to attain the object at first, it would be exceedingly difficult afterwards to reduce it. As to the Chancellor having a *veto* in the appointment of the Barristers, he saw no objection to it. Such a power as this Bill would give him, would be seldom exercised; but if any attempt was made to exercise it improperly, public opinion would cry out against it—so that, on that side, there was a very reasonable ground of security, that the power thus vested would not be abused. He did not think that the appointment in the first instance could be better placed than in the hands of the Judges;—yet, to guard against the possibility of abuse, it was necessary that a *veto* should be placed somewhere—and in what better hands could it be placed than in those of the Lord Chancellor? The *veto* which he possessed, would be exercised only in cases of gross and glaring impropriety in the nomination. That he felt was a case not at all likely to occur; yet, as it was possible, there ought to be power lodged somewhere to correct it. He had now gone through most of the points to which the hon. Member's remarks had applied. He had only to add, what he felt it was almost unnecessary for him to state, that he had no wish to do any thing to degrade the profession of the law; and he could not think it was any degradation to that profession, for the Bill to make a provision to remove a Barrister for misconduct. He believed a case of corruption in a Barrister, appointed under the Bill, to be extremely improbable—but to say that it was impossible, would be to imitate the ancient lawgiver, who would make no provision against parricide, because he thought such a crime could not occur.

Mr. *Estcourt* objected to the complicated manner of making the Barristers settle their accounts, and recommended, that instead of the Barristers submitting their accounts to the Justices, and making oath before them, they should submit them to the Treasury at once. If they were to be paid by the County Treasurer, such an arrangement as allowing a Magistrate or Justice to examine the Barrister on oath with respect to his expenses, and auditing his accounts might be proper enough, but when the expenses were to be paid by the Treasury, it seemed a useless piece of machinery.

Mr. *Robert Gordon* thought the *veto* would give the power of the appointment into the hands of the Lord Chancellor. He objected to the clause.

Lord *Althorp* said, that the *veto* was very different from the power of making an appointment. The Lord Chancellor would not exercise it, except in case of an improper appointment, against which though it was improbable, it was necessary to guard.

Mr. *Robert Gordon* said, that such was the effect of the *veto* as to the appointment of governors in India. The nomination of those officers, though nominally possessed by the Directors, was actually exercised by the Government.

Mr. *Charles Grant* said, the power of appointing governors in India, was vested by law in the Board of Control.

Sir *Charles Wetherell* said, according to the wording of the clause, this was not simply a *veto*, but a joint appointment; the words were "With the approbation of the Lord Chancellor."

Mr. *John Campbell* approved of the *veto* being placed in the hands of the Lord Chancellor, as necessary to prevent partiality, which was possible. There might be instances of bias in the case of a relative, which might induce a Judge to appoint an improper person; such appointments, therefore, should not be altogether without control. He highly approved of the appointment of these Barristers, and of registration in general. It was objected that it would decide the right of voting, which ought only to be decided by that House, but that was done at present by the returning officer, who was appointed by the Crown. He considered it, therefore, a great improvement in the Constitution.

Colonel *Sibthorp* contended that this part of the Bill was unconstitutional, and a mass of incongruities and inconsistencies from beginning to end.

Mr. *Cresset Pelham* said, the Sheriff was the officer of the county, he was selected by the Judges, and the Crown had only to nominate one of the three presented by them. He was fully able to discharge all the duties now to be performed by the Barristers.

Sir *Charles Wetherell* said, the clause gave a co-ordinate power of appointment to the Chancellor, and it did not give the *veto*.

The clause, as amended, ordered to stand part of the Bill.

The Chairman then read the 32nd clause, "That the Clerk of the Peace and Overseers shall attend before the Barristers, who shall, on due proof, insert and expunge names from the County Lists, and rectify mistakes therein."

Some verbal Amendments were proposed.

Sir *Charles Wetherell* said, that the Amendment contained the most important part of the clause. It was hastening it rather too much to say that the clause, so amended, had been already debated. It had not. He conceived the clause, as it was, created an imperfect jurisdiction, and he approved of the Amendment, as making the clause complete.

Lord *Althorp* said, the Amendments were so trifling, that they did not deserve the character given to them by the learned Gentleman. They were mere verbal Amendments, and made no difference whatever in the sense of the clause.

The Chairman read the proviso, "That no name should be inserted or expunged from the lists without due notice to the overseers, as required by the clause."

Colonel *Sibthorp* said, that the reason why he opposed the Bill was, that the longer it was delayed the more the people's eyes were opened to its absurdity. It was patched up in such a manner as to make it a different Bill. It was such a measure as a parish clerk would be ashamed of. The most able and convincing arguments had been urged against it, which, by some means or other, had been prevented from going forth to the country.

Mr. *Cutlar Fergusson* objected to the registration part of the Bill, that it was far less simple than the present mode of determining a right to vote: it would create an annual ferment in the country. He should much prefer the Scotch plan, by which, when the right of voting was once determined, the same party had no occasion again to show his title, which could not be impeached at any future time, unles there was a change of circumstances that might have destroyed the right.

Mr. *Estcourt* wished the noble Lord would be pleased to inform him, what provision there was made for the payment of persons appointed to act under this clause.

Lord *Althorp* said, he hoped there would be no difficulty on that head; the expense would not be near so great as had been supposed. In reply to his hon. and learned friend (Mr.C.Fergusson),he must tell him, that the analogy between the Scotch and English counties was not complete, and therefore, although a system worked well in one place, it would not do so in another. He did not anticipate any great expense in making out an annual list of freeholders; the great trouble and expense would be at first, after that the Overseer would simply have to make the alterations as they occurred from year to year.

Mr. *Estcourt* said, much expense had been caused by making out returns required by Parliament: the population returns for the county of Oxford cost nearly 20,000*l.*

Clause agreed to; House resumed, Committee to sit again on the following Monday.

HOUSE OF LORDS,

Monday, September 5, 1831.

MINUTES.] Bills committed. Canadian Revenues. Read a third time. The Barrren Land (Ireland), and the Sub-letting Act Amendment.

Petitions presented. By Lord KING, from Raheen, Ireland, against the Vestry Act, and for the abolition of Tithes; from the Isle of Wight, in favour of Reform; by the Earl of HADDINGTON, from the county of Haddington, against the use of Molasses in Breweries or Distilleries; by the Marquis of DOWNSHIRE, from Cairncastle, in favour of the Kildare Street Society.

COMMERCIAL RELATIONS WITH PORTUGAL.] The Earl of *Aberdeen* said, that he rose, pursuant to notice, to present a Petition from the Merchants, Ship-owners, and Manufacturers, concerned in the trade to Portugal. The petitioners complained, that a trade which had been so long protected and supported by this country, and which had proved, for a series of years, so beneficial to the nation at large, and all those who were connected with it, should now be exposed to so many interruptions, and to such a variety of embarrassments. The petitioners expressed their fears, that the measures which had been proposed by his Majesty's Ministers had had the effect of suspending the amicable relations which formerly existed with Portugal, and they apprehended that those measures, which they were afraid his Majesty's Ministers intended to continue, would expose our commerce with that country to still greater danger. The difficulties arising from this state of things, and from the different interests they involved, were not, it should be observed, to be examined in a mere commercial point of view. The fact was, that a state of feeling had been excited by those proceedings, which, however new or unprecedented, exposed the personal safety of our countrymen in Portugal to great danger and considerable hazard. Their Lordships would have, on a future occasion, a proper opportunity of discussing the commercial policy of his Majesty's Ministers, as they were disposed to regulate it with respect to that country. When these matters came before the House, he should be quite prepared to state his opinion on that subject; but it was to him perfectly clear that this trade—this important trade—could not go on with prosperity, and receive that development of which it was capable, unless an alteration took place in the political relations of this country with Portugal. Looking to the present conduct of the Government towards Portugal, he must say, that it would be difficult to maintain such a system and preserve even the simple relation of peace with any other State. Why, then, the Ministers should adopt it towards a country with which they were more intimately connected than with any other on the whole face of the earth, he was utterly at a loss to conceive. The nature of our treaties with Portugal—the great privileges enjoyed by British subjects in that country—the almost unbounded licence possessed by Englishmen residing there—all these privileges and immunities were incompatible with any other than a state of the most perfect friendship and cordiality. Any encroachment upon the principles which formed the foundation of such a state of things, must lead to estrangement, and that soreness of feeling, which never could exist, and peace be preserved, between any other nations than those that were, as intimately connected as England and Portugal. In truth, the relations of this country with Portugal had always resembled more those of a mother country and its colony, than the relations of two independent States; and the French, always jealous of that close connexion, had called Portugal the colony or the factory of England. He was persuaded that the state of things of which these petitioners complained could not exist much longer. The petitioners thought, that to attempt to continue the present suspension of those friendly relations which had subsisted for ages between the two countries, would be most injurious to the interests of their fellow-subjects in this country as well as those who resided in Portugal; that it would be most unjust to the Portuguese nation; that it would place in jeopardy the tranquillity of the whole Peninsula, and that it could not be continued without danger to the peace of Europe. In bringing the subject of Portugal thus under consideration, he was induced to do so specially with a view to the improvement and consolidation of the relations of Great Britain with that country. He should therefore strictly confine himself to that point—he should consider the fair construction of the principles on which those relations were founded. It was very possible that some of the noble Lords opposite might, as they had formerly done, impute to him, in taking the course which duty alone induced him to take, feelings of partiality towards the government and the ruler of Portugal, and a tendency to favour both the one and the other. Now, he really knew not at what time or by what means he had shown that he was favourable to such principles as those which noble Lords had reprobated. Without, perhaps, speaking so loudly and so frequently as some of the noble Lords opposite had done on the subject of free and liberal institutions, he believed that he respected the rights and feelings of nations and individuals as much and as highly as any of those noble Lords did. In considering this question there were many points to be included, and he confessed that he looked not so much to the Government under which the Portuguese lived, as to what was due to the honour of this country in dealing with an old ally. That the government of Portugal was absolute and despotic he well knew; and, as such, it might be considered as founded on errors which abstractedly deserved reprobation. But he knew, also, that it had existed for ages—he knew, also, that under it the relations of Portugal with England had originated, had increased, and were confirmed and strengthened. It was an indisputable fact that those relations were cemented by a Government thus formed, and it was no less a fact that our obligations to a Government so constituted, were honourably fulfilled. As to the influence of England in upholding Portugal, he should say little, for the subject was painful to him. His error, if it were one, might easily be corrected, when he said, that, within a short period, the French flag had, for the first time in the history of those countries, been known to domineer, without control, in Portugal. The question to which he called the attention of the House had nothing to do with the constitution of Portugal. He believed that the king had little disposition to grant, and the people but little wish to receive, such a constitution as some individuals wished to introduce. But, as he reasoned the case, the feeling on their part with respect to a constitution, formed no justification on our part for any change in those friendly relations which had existed from a very remote period between those countries—Portugal and England. There never was any thing more true than a declaration made by the late Mr. Canning, two months before his death, in which he plainly stated "that the vast majority of the people of Spain were hostile to any constitution like that which was proposed to be given to them." The same observation would equally apply to Portugal. They might rail as much as they pleased at priests and nobles—they might censure as much as they pleased illiberals and anti-constitutionalists—but the fact was indisputable, that the people were not favourable to any change. And really, after the recent examples which they had had of the changes produced by revolution, he was not sure that they could be quite certain that a great benefit would be derived from the promulgation of new constitutions, as many individuals seemed to suppose. Let their Lordships look to the example of France and Belgium, and to other precedents: what lesson did they derive from them? When they saw the misery, the bankruptcy, the discontent, the universal distress, to which these revolutions gave rise, they might surely allow other countries the right to hesitate a little before they rushed forward to make a great and extensive alteration in their system of government. He knew not whether their own experience in the interference with the constitution of other States had been so eminently successful as to render them zealous, and, he might say, over-anxious to proceed further, and to attempt to extend to Portugal a constitution to which the people, however unwilling, should be obliged to bow. This system reminded him much of the father who was determined to make his daughter happy even against her will. He alluded to the well known *Squire Western,* in the novel of Tom Jones, who wished to marry his daughter contrary to her inclination. "Rot her," said the *Squire,* "she shall be happy though I break her heart for it." This he thought, was precisely the case here, and surely the nation had as much right to please itself as the lady. We wished to make the Portuguese nation happy, but they did not desire to be made happy in our way. What, then, was to be the termination of this system? Was it intended that the suspension of these relations, which had already continued too long, was to be indefinite? What obstacles were there, he wished to know, to prevent the renewal of our political relations? And if there were such obstacles, how were they to be overcome? These questions he put forth broadly, and he trusted, that they would be satisfactorily answered. The noble Earl had made his Majesty, in the Speech from the Throne "regret his not having been yet able to renew his friendly relations with Portugal." He wanted to know what it was, that prevented his Majesty from renewing those relations? It certainly could not be the supposed usurpation of Don Miguel—for certainly no usurpation ever received such approval as his was known to have received. Don Miguel had acted as he pleased, without opposition. He had convened the States of the realm, according to the old-established custom and form. These States had unanimously accepted him: they had done more, they had declared him the legitimate monarch of Portugal; and the vast majority of the people had assented to the justice of that claim. They had thus continued to give him their allegiance for three years, under circumstances unparalleled in that or any other country; and, so far from having been done by foreign influence, it was accomplished in direct opposition to the wishes of almost all the Powers of Europe, and, he might almost say, in defiance of them, by the people alone. As far as usurpation was concerned, then, there was no ground for not renewing our political relations with Portugal, neither was the personal character of the monarch himself any objection. With respect to some of the measures of the Portuguese government, there was no man who more lamented their severity than he did; they must, on account of that severity, be revolting to their Lordships, and to every man who lived under a free and secure government. But, in considering this subject, their Lordships should take into account what the situation of that country is, and had been. Whenever counsel had been offered to that government, with a view to mild and conciliatory measures, it always met us with this answer—" We desire to be kind; we desire to be merciful; but we must first have the support which your Government and all Europe can give us, before we can afford to adopt that course." Therefore, he said, that this country had been (as he had always contended) accountable, in a great degree, for the conduct which the government of Portugal pursued, and which it believed to be best calculated for its own protection. With respect to the cruelties which that government was said to have perpetrated, he would not pay so ill a compliment to the understanding of their Lordships, as to suppose that they could credit such monstrous things. He had not the slightest doubt, that they had been greatly exaggerated. He had been assured by Englishmen—gentlemen—officers—men of high character and honour, who had been ocular witnesses of much that had occurred in Portugal, that much absurd and gross exaggeration had been sent forth on this subject. He would state one fact, which, upon this point, might be taken as an example. From an account which had been shown to him, it appeared, that in the course of the last three years, there were only twenty-two persons executed in Lisbon. That fact could not be mistaken. This was a matter that occurred before the whole world. It was indeed said, and that was very easy to say, that thousands of people were in prison. Of course, no man but those immediately concerned could speak to this point; but here, also, it was likely, that there was much gross exaggeration. He thought that their Lordships would admit, that if, in three years, considering the situation in which the Portuguese government was placed, only twenty-two persons were executed, that could not be looked upon as a very extraordinary number. He, therefore, had a right to infer, with respect to the alleged acts of severity committed in Lisbon, that the greatest and most unfounded exaggerations had been sent abroad. But the noble Earl had, on a former occasion, asked, "If the title of king, as applicable to Don Miguel, were so good—if it were so universally received and allowed—why was he not acknowledged as the lawful monarch of Portugal long ago?" When that Prince returned to Portugal, shortly after he visited this country, he, undoubtedly, violated all those pledges which he had entered into at Vienna, and which he had repeated to his late Majesty. This total violation of his promises compelled his late Majesty to withdraw his Minister from Lisbon, in order to mark, with the strongest possible effect, his reprobation of Don Miguel's conduct. It was also true, that it was deemed incumbent on the Ministry, to lose no time to communicate with the Emperor, the father of the young Princess, and to apprise him of what had occurred. Ministers felt, that it was necessary to put him in possession of the real state of Portugal, and to lay before him the views which were entertained, in consequence of the events that had taken place there. At one time, the emperor of Brazil wished to terminate all feuds and disputes by negotiation. At one time, the negotiation was to be held in Brazil, and then it was proposed that it should take place in London. But it appeared, that such a course would consume a portion of time, far beyond what was reasonable. At last, however, Don Pedro came to the determination, that nothing should induce him to resort to hostilities—that he would settle all things by conciliation, and that this effect should be produced by the marriage of his daughter to Don Miguel. After all, however, his Majesty's Government did not think proper to favour that proposition, and it, therefore, became nugatory. But from that hour to the present, he had no reason to know, or to believe, that the proceedings which then took place, had in any way, altered the view which Don Pedro took, as to the political effect which the marriage of his daughter with Don Miguel was calculated to produce. Though his Majesty's Government determined not to communicate Don Pedro's proposition to Don Miguel, the whole of the negotiation was carried on honestly and fairly; and Ministers cherished the hope, that the time might come when their exertions would be effectual. During the continuance of that negotiation, no doubt his Majesty's Government was occupied in devising measures which would be beneficial to Portugal, and conducive to placing her relations with this country on that footing on which they had always previously existed and flourished. The measure which was most looked to, in reference to the furtherance of that object, was connected with the question of an amnesty. And here, he must so far do justice to the Portuguese government as to state, that he never saw, nor found, in that government, any reluctance to grant some measure of that nature. The great difficulty was, as to the form, and more particularly with reference to the time when such a measure should take effect. Much discussion, of course, arose on this subject; but at last all difficulties were overcome, and finally a modified proposition, in the nature of an amnesty, was proposed, and was sent to Lisbon on the very day, he believed, when he retired from office. Subsequent events had put an end to that proceeding, but he believed, that at the moment to which he had alluded, all difficulties were removed. An event of an important nature had since occurred—he meant the expulsion of the emperor Don Pedro from Brazil, and, therefore, the total absence of any State interested in the question. Don Pedro might make war against Portugal as a private individual—he might launch his forces into Portugal, and try the chances of civil war, but he could only do so as a simple individual. This event, therefore, removed what had been the first obstruction—indeed, he might say, what had always been the main obstruction—to the recognition of the present government of Portugal, and the renewal of friendly relations with that country. If the renewal of those relations were at all times desirable, the necessity for it had become doubly urgent and imperative since the French aggression against Portugal. He did not now intend to enter into any explanation with respect to the claims of France upon Portugal, or the injury which the former country pretended to have sustained. He would observe, however, that the noble Earl himself had never ventured to say, that he had examined those claims, and had found them to be just. Their Lordships were all able to form an opinion upon those claims, and he might safely appeal to the judgment of any impartial man with respect to them. Papers were to be laid upon the Table of the House, explanatory of the subject, and he was anxiously waiting to peruse them. He would, likewise, abstain from entering into discussion on the subject of our own claims. As far as he was able to form an opinion, he considered our claims on Portugal to be perfectly well founded. They grew out of the infraction of articles of treaties. The acts of which we complained, would not have been grievances, as between Portugal and France, or any two countries not bound by such peculiar treaties as connected us with Portugal. However improper he might consider the manner in which our claims had been prosecuted, he believed them to be in themselves substantially just. He now begged to direct their Lordships' attention to the manner in which the French claims had been prosecuted. He did not hesitate to declare, that it was the duty of the noble Lords opposite to have mediated between Portugal and France. Portugal appealed to us for this purpose over and over again, but a deaf ear was turned to her prayers: no advice, no counsel was given to Portugal, until the French expedition sailed from Toulon. The most important question on this subject was, not who could give the best explanation, but whose statement was the most true. He defied any one to contradict the statement which he should make. Whether the French claims were just or unjust, we were bound by treaties to mediate between her and Portugal, and if we found her claims unjust, we were bound to support the cause of Portugal. At all events, we were certainly bound to use our kind offices in the way of mediation. No explanation could remove the blame which attached to Government for not having done this. Without, however, inquiring into the nature or justice of the French claims, it was desirable to look at the mode in which they were prosecuted. On the 8th of July, the French ultimatum was delivered to Portugal. The Portuguese government, having then been advised by our Government, stated, that it was determined to follow the advice which had been given by the Government of his Britannic Majesty, and to release the two French subjects who were imprisoned. The French Admiral was not content with this answer, but forced the passage of the Tagus, and entered the port of Lisbon. On the 11th of July, the French Admiral stated, that the French, with their usual generosity, would not take advantage of their victory, but reserved to themselves the right of claiming indemnity for the expenses of the war. On the 12th of July, the French Admiral put forth another proclamation, in which, after passing a second eulogium on French generosity, he informed the Portuguese government, that the Portuguese fleet must, in future, be considered as French property. How was that to be reconciled with his declaration of the 11th, that he would treat with Portugal on the same conditions as before the victory? He could only account for the inconsistency by supposing, that between the declarations of the 11th and 12th, the French Admiral had received fresh instructions from his government. There was no other way of accounting for the remarkable change in his tone. He was sorry to understand, that certain high legal authorities had declared, that they considered the Portuguese fleet as good prizes of war to the French. If the noble Earl at the head of the Government would state that such an opinion had been given, or that he meant to act upon it, he trusted that he would be prepared to lay the opinion before the House; and not only the opinion, but the case upon which it was founded. He thought very highly of the King's Advocate; but the King's Advocate, like any other advocate, must give an opinion according to the case which was laid before him. It was undoubtedly true, that if the war were legitimate, there could not be a more legitimate prize than ships of war. But his doubt, nay, his assertion, was, that no legitimate war existed between France and Portugal. There was no declaration of war, there was no blockade established, there was no notice to foreign Powers; the Portuguese government clearly never performed any hostile act; it never issued letters of marque, nor confiscated the property of Frenchmen by way of retaliation. In short, no sign of war existed between the two countries. But it was said, that there was a declaration of war *de facto.* Then where was the treaty of peace? A war *de facto* could be understood, but who ever heard of a treaty of peace *de facto?* If war ever existed between France and Portugal, it existed at the present moment, for there had been no treaty of peace. It was clear, that the French government never considered, that a state of war existed. They made certain demands, which they enforced; but if war had existed, it could only be terminated by a treaty of peace. Either war existed at present, or it had never existed at all. He had not done with the French Admiral yet. On the 22nd of July, the French Admiral, in consequence of some accounts which had appeared, not in the *Lisbon Gazette*, but in some provincial Portuguese newspapers, which were not under the immediate supervision of the government, and not official, of the events which had occurred at Lisbon, refused to fulfil the conditions to which he had assented on the 10th, and proposed a convention, to the terms of which he requested the attention of their Lordships. He must express his unqualified astonishment that Ministers had declared, that the French Admiral had made no attempt to obtain commercial advantages for France, at the expense of England. He would take care, however, that no such declaration should be made in that House, because he had the convention in his hand. The French Admiral stated in this convention, that French commerce was very unfavourably treated as compared to that of England, and desired, that in all future treaties which might be made with France, French commerce should be placed on the same footing as that of the most favoured nation. If the Portuguese government had acceded to this proposition, what a clamour would have been raised against the faithless tyrant, who had made treaties to the prejudice of his best friends! But could we, with any justice, have complained if the Portuguese government had acted in this manner? Portugal, which we were bound to protect by treaties, had on this occasion known nothing of those treaties, except the obligations which we had exacted from her. The history of this convention, which consisted of eight articles, passed his comprehension. What was the state of Portugal and France at the time it was signed? Was it a state of war or of peace? By the fourteenth article of the convention of July 22nd, it was settled that, in consequence of the representation made by France of the disfavour shewn to the trade, viscount de Santarem engaged that, in case of any future treaty, the Portuguese government would be disposed to place the commercial relations between the two countries upon a footing reciprocally advantageous to France and Portugal. This article was not so binding as the one originally proposed, but we were not indebted to French generosity for that circumstance. Another article of the convention provides, that all French subjects in Portugal shall, in future, be placed under the jurisdiction of a Judge Conservator, a privilege certainly already possessed by British subjects, but demanded by the French Admiral to such an extent, that it was hardly possible to conceive how such a privilege could be conceded by one independent nation to another. Another article of the convention prohibited the Portuguese government from making any reparation of the fortresses of the Tagus during the stay of the French fleet. If peace followed the signature of the convention, what right had the French Admiral to prohibit the reparation of the fortresses? Some French ships were still in the Tagus. Was this condition to apply to their presence as well as to that of the ship of the French Admiral? He was aware that some persons considered our treaties with Portugal to be onerous. He was himself sometimes inclined to the opinion that we purchased the great advantages which we enjoyed from our connexion with Portugal at too dear a rate. But though these treaties were onerous, they were binding. The noble Lords opposite had shown what construction they put upon those treaties. He felt it difficult to repress the sentiments of shame and indignation which filled his bosom, when he reflected upon the treatment which the Portuguese government had received from this country. He had heard, that the French government proposed to assist Don Pedro in his hostile attempts against the Portuguese government. He had reason to believe, from those who were most likely to be best informed on the subject, that such intentions were avowed. Was the fleet in which Don Pedro would sail to be considered a Portuguese fleet or a French fleet? If it were a Portuguese fleet, what right had the king of France to interfere with it. If it were a French fleet, what a commentary would it furnish on the doctrine of non-intervention. Could the noble Earl opposite be so infatuated as not to perceive that any change produced in Portugal, be it what it might, by French means, must operate to the injury of this country? Did the noble Earl suppose, that the French cared a single straw for Don Pedro and his daughter? No, their object was to annihilate the predominant influence which we had so long possessed in Portugal. This had always been the aim of France, under the Bourbons, and Buonaparte, and now under Louis Philip. Without wishing to excite the jealousy of France, he must declare, that it had ever been the established policy of this country to look with a degree of vigilance and watchfulness at all her external proceedings, with the view of preventing the extension of her dominions, or of her influence over other States. If the noble Earl professed to act on any other principle, he would betray the interests of his country. He would not talk of France being the natural enemy of this country, but he would say, that she was our natural rival, and the noble Earl might depend upon it that she never would lose an opportunity of obtaining an advantage at our expense. The question was one which nearly touched the safety of the whole Peninsula. It struck at the very existence of the Spanish monarchy; and he would ask the noble Earl whether the conduct of the Spanish government had been such as to deserve the peril in which it would be placed by the continuance of our present policy? He would ask him further whether he had not had much to unlearn on the subject of Spain, or whether he thought, that any government could have acted with more good faith, wisdom, prudence, and moderation, throughout the whole of the difficult transactions arising out of the state of Portugal than that of Spain had done? The question became doubly serious when it was connected with the safety of Spain. It ought to be our policy to unite the nations of the Peninsula into one friendly body. It would be most unfortunate should the tranquillity of Spain be interrupted at the present moment, because that country was making rapid progress in internal amelioration. The noble Earl would, he was sure, bear him out in that assertion. By our permitting plots to be formed in England contrary to treaties and the law of nations, Don Pedro might succeed in creating a convulsion in Portugal, he might carry the horrors of civil war into his native country—he might deluge the Peninsula with blood, but he would not ultimately succeed in overturning a throne or destroying institutions to which the vast majority of the people of Portugal were faithfully attached, and which they would defend. Having expressed these opinions, it might be expected that he should conclude with some motion on the subject; but that course he was not prepared to take on the present occasion. He thought it sufficient to call the earnest attention of the noble Earl to the very critical state in which the continuance of his policy would place this country, not only with respect to our ancient ally but the whole of the Peninsula, and to impress upon him the responsibility to which he would render himself liable. He only wished the noble Earl to consider the question, divested of all passion and prejudice; free from the sinister influence of those who surrounded him, and reflect upon what would be the consequences of his present policy upon the interests of England,—consequences which the noble Earl would be the first man to lament. With these observations, he begged leave to present to their Lordships the petition of the ship-owners and others engaged in the trade with Portugal.

Earl *Grey* thought it very strange, that the noble Earl, in all the observations which he had made, did not confine himself to the petition which he had presented; nor had the noble Earl adverted to it as a topic of discussion in the whole of the speech which he had delivered. Neither had he given notice of the course which he intended to pursue. He was left to conjecture what course the noble Earl intended to pursue upon that occasion. How then could he have anticipated such a speech as the noble Earl had just made, and which was remarkable not only for the variety of its topics, but for the peculiar circumstance that the noble Earl had never given any notice of his intention to make it.

The Earl of *Aberdeen* begged to interrupt the noble Earl. In answer to a question from a noble Marquis opposite, he had said, that he would enter into a discussion relative to our political relations with Portugal.

Earl *Grey*:—That was a large and vague description, and it was not easy for him to conjecture to what particular topics the noble Earl would advert. When it was recollected that all discussion on the subjects to which the noble Earl had adverted had been by common consent abandoned, on account of the inconvenience which was likely to result from it, and when he had consented to produce papers which had been asked for, he certainly had a right to expect, that the noble Earl would not have entered into any debate of this nature until the documents were before the House. He, however, was not inclined to complain that the noble Earl had pursued a different course. He had listened with surprise to a great part of the noble Earl's speech. In the first place, the noble Earl had omitted to state the substance or the prayer of the petition, or how it was connected with the topics to which he had directed the attention of their Lordships. It appeared from what the Clerk had read of the petition, that it proceeded from certain merchants, who complained that their trade with Portugal was much deteriorated; and praying that Parliament would adopt measures to restore peace and harmony between the two countries. He was told, that the petition had been got up by a gentleman, who interested himself very warmly on behalf of the amiable monarch who occupied the Portuguese throne, whom the noble Earl himself some time ago spoke of as being almost an outcast from society, but whom he had now adopted as his protegé. The petition, he was further informed, lay at a coffee-house for signatures, but it was not a successful speculation, for only sixteen names were subscribed to it. The noble Earl must be aware that the measures which the Government had adopted for obtaining redress from Portugal, had been approved of by a large portion of the merchants engaged in the trade to that country. The noble Earl had indulged in violent invective against every thing which had been done by the French expedition. When the papers which had been promised should be laid upon the Table, it would not be difficult for him to prove, that Ministers were not deserving of the imputations which the noble Earl had attempted to fix upon them with reference to this subject. The noble Earl denied, that the French had sufficient cause to demand redress in the way they did. Into that question he would not enter. On a former debate the noble Duke opposite made a most valuable admission, by stating, that after the manner in which we had sought redress, it was hardly possible for us to interfere and prevent the French from seeking redress by the same means. The noble Earl stated, that we abstained from offering any advice to Portugal until the last moment, when it was too late. He did not know, that it was too late, even after the sailing of the French squadron, if redress had been frankly offered to the French government. He must, however, deny that this Government had not given advice to Portugal until that period. That fact would be set at rest when the documents should be produced. The noble Earl admitted, that ships of war would be legitimate prize if the war had been legitimate. He was not aware that we had any right to investigate the original cause of war. Whether the war were just or unjust, the question of prizes must be regulated by the usual law of nations. The noble Earl had expressed a wish that the opinion of the King's Advocate should be produced. It was usual to consider opinions of this nature in the light of confidential communications. As far as he was concerned, he had no objection to their being produced. On the contrary, he was desirous that the noble Earl should see it, more especially as the noble Earl had insinuated that the case on which that opinion was founded was false and partial. Whether the case was of that description would be seen when the documents should be produced. He was astonished at the quarter from which the attack had come. He remembered, that when the opinion of a learned civilian was called for in that House upon another point, some time ago, the noble Earl, and those with whom he was connected, positively refused to produce it. When the noble Earl came down to that House, and talked of the shame and indignation which he felt at the conduct of Government, with an air of mixed solemnity and earnestness, he would beg him to recollect the case of Terceira. That case excited the interest of all Europe; but the noble Earl had never given any satisfactory explanation on the subject. Without touching upon the subject of our negotiations with the emperor of Brazil, he would proceed to the most important part of the noble Earl's statement—namely, the situation in which this country was with respect to Portugal, in consequence of the interruption of our diplomatic relations with that country. He was not inclined to undervalue the advantages of our connexion with Portugal. He lamented, as much as the noble Earl opposite, the unfortunate situation in which the two countries were placed with regard to each other, and which, he admitted, was productive, by its long continuance, of all the inconveniences which the noble Earl had described. But this state of things was not owing to the present Government. His Majesty's present Ministers had not yet been in office ten months; and this state of affairs had lasted three years. The noble Earl was, therefore, responsible for about two years of that time; and it certainly would be a heavy responsibility if, as the noble Earl had stated, the Government of this country were answerable for all the acts of Don Miguel. The noble Earl had ascribed as the cause of the delay in re-establishing friendly relations with Portugal, the negotiations which were in his time carried on with the emperor of the Brazils, the rights of whose daughter were acknowledged by this country, and the means taken by that prince to uphold those rights. The noble Earl considered that that difficulty was now entirely removed by the expulsion of Don Pedro from the Brazils. But he must be permitted to remind the noble Earl, that it was not on this ground only that the Government of this country abstained from renewing relations with Portugal, but likewise on account of the conduct of the Portuguese government itself; and there was one preliminary (he would not call it a condition, as the noble Earl denied that it was a condition, though he (Earl Grey) had not acuteness enough to distinguish between a preliminary and a condition), the compliance with which was thought essential to the recognition of the government of Don Miguel. The truth was, in some part of the year 1829 the government of Don Miguel was recognized by Spain, with the understanding between Spain and the governments of France and England, that when Don Miguel could be brought to adopt a better system of government, and one more fitted to be in a state of peace and amity with other nations, a general recognition by the Powers of Europe should follow. The noble Earl, subsequent to the year 1829, and down to the period of his leaving office, had never been able to obtain the establishment of such a system of government in Portugal as could induce him, notwithstanding all the inconveniences arising from the interruptions of our relations with that country, to send a Minister to the Court of Portugal, and recognize the prince whose title he now thought so well founded. A good deal of negotiation took place on the subject; and on the 17th of September, 1830, he found that the noble Earl, alluding in a despatch to the cessation of the relations between the two countries, used these words. "It is reasonable, therefore, to suppose that we should look with anxiety to the state of these relations, and I should only deceive them if I did not frankly declare, that there existed an obstacle in the way of any such change wholly insurmountable—[wholly insurmountable, my Lords] — by his Majesty's Government, which it depends on the Portuguese government alone to remove; and if that government continues to be of opinion that to grant a general and comprehensive amnesty such as I have adverted to, would not be in accordance with the interests, intercourse, and safety of Portugal, it will be utterly impossible for us to attempt to alter our present condition, and that of the other powers of Europe with respect to the Portuguese government. Important and desirable as this change may be, there are other still higher claims to be regarded, from which we can never recede—the honour of the King, and the consistent character of his Majesty's Government are at stake. An amnesty is due to those persons who have regulated their sentiments by the example of Great Britain, and what they conceive would be the probable conduct of their own Government. The issuing of an act of amnesty would be highly advantageous to Portugal herself, and is an indispensable preliminary to any change in the relations of the two countries." Thus it appeared, that on the 17th of September, 1830, the not granting of an amnesty was considered by the noble Earl to be an insurmountable objection to renewing the relations between the two countries. Since that period, had the situation of affairs materially altered up to the present moment? Had the noble Earl himself been able to obtain such an amnesty? On the first day of the last session of Parliament the noble Earl declared, that he had not obtained an amnesty. In the first instance the noble Earl had stated, that unless he received an authentic act of amnesty from Don Miguel, he would not recognize him. The noble Earl had since relapsed from that proposition, and said, that if he received an authentic copy of a decree, engaging to grant an amnesty, that would be sufficient, but no copy of any such decree had ever been obtained. True it was, that a despatch dated the 15th of November was sent off on the 16th, the day on which the noble Earl left office, in which the noble Earl stated his expectation that an amnesty would be issued. But the fact was, that no amnesty could ever be obtained, and both Mr. Mackenzie, and Mr. Hoppner, who succeeded him as Consul at Lisbon, received instructions to persevere in the demand for the issuing of an act of amnesty, and the establishment of such a state of things as might afford security to foreign merchants residing in Portugal. Those demands had all been made in the same spirit, and to the present moment no satisfactory answer had been obtained. When the noble Earl asked how long affairs were to continue in this indefinite state, he in reply would ask the noble Earl what was his conduct last year under similar circumstances? Since that period, not only had no satisfactory answer been received from the Portuguese government on the subject of an amnesty, but during the interval the scenes of horror which had unhappily passed in that country, and for which it seemed the English Government were alone to blame, had been greatly multiplied. But, said the noble Earl, this arbitrary government was not at least a bloody government, for only twenty-two persons had suffered on the scaffold in the course of the last year. But the noble Earl passed lightly over the case of those persons who had been crammed into unwholesome dungeons, and the number of which their Lordships could scarcely credit. *Clausi in tenebris cum mœrore et luctu, morte graviorem vitam exigunt.* The noble Earl had passed over the exportation of victims to the pestilential shores of Africa, where, by a slow execution, they were consigned to death, for political offences, only suspected, and not proved. The noble Earl had also omitted to notice the miserable condition of that country, where the law afforded no protection, and where a wretch, at the head of a banditti, whom he called a police, was guilty of outrages against the subjects of every government. Before the noble Earl blamed the present Ministers for not establishing the relations of peace and amity with Portugal, he should be prepared to defend himself for not having established those relations under circumstances more favourable for the purpose than at present existed. He agreed with the noble Earl, that they had nothing to do with the form of other governments, or with the character of the Princes at their head. If there existed in any country a Sovereign *de facto*, supported by the people, and conducting himself in such a manner as to make it possible to maintain the usual relations of peace and amity with him, the business of British Ministers was to maintain those relations, without looking too nicely at his right to the Throne, or his moral character. He entirely subscribed to this proposition, on the principle of non-interference with other countries, to which the noble Earl had alluded. He must, however, observe, that he heard with considerable surprise, the attack made by the noble Earl on Ministers, for having endeavoured to force, as it were, a Constitution on the Portuguese. His Majesty's Ministers had interfered with Portugal in no other way but by remonstrances, which they had a right to make, to induce the Portuguese government to agree to those conditions, which must be complied with before the relations between the two countries could be restored. He knew that English interests were the peculiar care of Government, and he did not want the noble Earl's admonition to look carefully to those interests, though he might want some of the noble Earl's levity, in risking the peace of the world by declamations and invectives against other Powers. He trusted, that he should be found to look after these interests, and to provide the means of protecting them against the encroachments of other Powers, whether enemies or liberal rivals, as carefully and vigilantly as the noble Earl himself. The business of Ministers was undoubtedly to protect English interests; but he could not divest his mind of those feelings, or those principles, which he had imbibed from his earliest youth, and which taught him to believe that governments founded on principles of justice, and of which the conduct was regulated by those principles, were more to be trusted than those which depended on the arbitrary will of an individual. He had not hitherto, and trusted he never should, decline to enter into friendly relations with governments in a state of peace with this country, whatever might be their form, whether of a despotic nature, or founded on the principles of freedom. He did not think it was necessary for him to go further on the present occasion. Indeed, the noble Earl's last observation appeared to make what he had already said almost superfluous; for the noble Earl stated, that having gone so much at length into the subject, he did not think the present the proper occasion to make any motion which might affect Government, and had confined himself solely to presenting the petition. The only question, therefore, before the House was, that the petition be laid on the table. The noble Earl had stated, that a day would come when he would more fully enter into the discussion. Whenever that day came, he should be ready to meet the noble Earl, or any other person, and he trusted that he should be able to show, that in what had been done or omitted by the Ministers, neither the honour nor the interest of the Government had suffered by any act of theirs, or from any circumstances but those which it was not in their power to counteract.

The Duke of *Wellington* hardly thought it necessary to justify his noble friend for the course which he had taken in presenting the petition, because the petition related specifically to British interests, as connected with Portugal, and to the interruptions which, as the petitioners stated, those interests were subject to in consequence of the existing state of our relations with that power. He was ready to admit, that the persons who had signed this petition, felt deeply on the subject, but the noble Earl opposite was mistaken in supposing that they were interested in behalf of the person of the Prince who sat on the Throne of Portugal. The noble Earl was likewise mistaken as to the number of the petitioners being only sixteen, and those of little importance in this great city. The fact was, that there were forty-two signatures attached to the petition, and if their Lordships read the names, they would find that some of the petitioners were principal merchants in London, and every one of them was interested in the trade with Portugal. He thought that the topics to which his noble friend had alluded, were precisely those upon which he ought to have addressed their Lordships, in calling their attention to the particular petition which had been presented. There was, however, one subject which his noble friend had deferred to another occasion—namely, that which regarded the wine trade of Portugal. His noble friend might have told their Lordships, that in this question of the wine trade, not only Portugal, but the whole of the Peninsula, and the Powers of Germany and Italy, were interested. The noble Lords opposite had thought proper, in order to favour France, whose trade with this country did not equal one-fifth of the trade with Portugal, to put the wines of the Peninsula and the rest of Europe on the same footing as those of France. That was to say, in order to favour France—a country which desired to have no intercourse with Great Britain, except for her own advantage—Ministers had resolved to put down the trade of Portugal, and discourage the trade of Spain, and all the rest of Europe. His noble friend did not touch on this point, because he did not wish to occupy the attention of their Lordships; but if he had done so, he might still further have shown the partiality of the noble Lords opposite for France, and their prejudice against Portugal. His noble friend, however, confined himself particularly to that part of the question which had reference to the political relations between this country and Portugal. The noble Earl, in replying to the observations of his noble friend, had availed himself of an admission formerly made by him, respecting the conduct of Ministers, in not interfering in favour of Portugal on the occasion of the French expedition. He confessed, that when he made that admission, he was not exactly aware of the circumstances which had occurred. He was not aware at the time that we followed the example of France, instead of setting the example. The truth of the matter was this :—The French brought forward their claims, consisting of ten Articles, on the 18th of March, and it was not until the 18th of April that our Ministers, in imitation of the French, urged their claims. When he made the admission to which the noble Earl had alluded, he imagined that the English Government had made its claim first; and that therefore it could not with justice call upon the French government to desist from following a similar course. But the fact was, that this country had followed the French example, and there really seemed a conspiracy between the two countries which should run down this unfortunate power of Portugal the fastest. The French Commodore came before Lisbon on the 18th of May, and after repeating his claims, went and seized on the merchant vessels and ships of war, in consequence of which seizure Portugal lost the island of St. Michael's. The noble Earl had stated, that although this country was bound by treaty to protect Portugal, yet, having interfered herself, she could not prevent France interfering in a similar manner. But might not mediation have been attempted? Even when the French Admiral was before Lisbon, it was not too late. War did not commence until the 8th of July, and there was plenty of time for this Government to have remonstrated with France—to have pointed out the inconvenience—he would almost say the indecency—of that country proceeding in such a manner with respect to the affair which was in dispute between the two countries. When he reflected on all that had passed, he really must say, not speaking as an officer of the British army, but as an Englishman, that he had never heard of anything which had filled his mind with more indignation than the conduct of the French Admiral. On the 8th of July, he repeated his claims as before, with the addition of four Articles; and he informed the Portuguese government, that if they did not adopt the Articles, war would exist *de facto*. On the 11th of July, the French Admiral wrote word, that France, always generous, added nothing to these terms, except compensation to those who had suffered by hostilities, when, in fact, the only persons who had suffered were two sailors, who had been hurt by the explosion of a ship. On the 12th the terms were agreed to, and on that day the demand was made for the surrender of the Portuguese fleet. Now he was not able exactly to say, whether, according to the law of nations, there existed war between the morning of the 10th of July, and the day on which Portugal accepted the conditions; but of this he was certain, that after the 11th, when the offer was made of the terms on which peace was finally arranged, no hostility existed. That was quite clear from the whole of the transactions. But, in the course of the correspondence, another very curious fact was brought out with respect to the shipping. The Portuguese shipping were not the first to fire on the French fleet; but the French fleet fired on the shipping. The Portuguese then fired on the French fleet, after having been fired on, and then struck their colours, and hoisted the French. The shipping, however, were not taken possession of at the moment; though they were afterwards surrendered on the demand of the French. Now, considering that the terms which had been accepted were offered on the 11th, and that no hostility had taken place after that day—that hostilities did not commence on the part of the Portuguese fleet, but of the French—he very much doubted whether the opinion of the King's Advocate was worth so much as that opinion which the noble Lord found fault with the late Government for not producing. There might, perhaps, have been some mistake, whether the French or Portuguese fleet was the first to fire, had it not been for a circumstance which afterwards occurred. The Portuguese Minister called upon the French Admiral to know what ships commenced firing; but to his upon his throne for three years by his people, during which interval three kings had lost their crowns, and it asserted that there was no foundation for the imputations of vicious and immoral habits cast upon Don Miguel. He must say, that he saw throughout the whole of these transactions respecting Portugal, an attempt on the part of France to interfere with and dictate to the Ministers of this country, which, if it succeeded, would be fatal to our interests. He hoped the noble Earl would be able to answer the able, eloquent—indeed, he would say the unanswerable—statements made by the noble Duke behind him. With respect to the aggression upon Portugal, there could be but one feeling throughout the country, notwithstanding the ingenuity of the noble Earl in getting the opinion of the King's Advocate upon that disgraceful transaction—an opinion which would cut two ways—as not only did it furnish a momentary defence for having suffered the French to commit that outrage, but France would take advantage of that opinion of the British King's Advocate, if any attempts were made to get back the shipping. He saw from the beginning of the Administration of the present Government, a desire to court France; supposing, no doubt, that while they had peace with France, they would be able to keep the peace of the Continent. They would never support the honour or the interests of this country by truckling to France, and shamefully yielding to her control, as had been done with respect to the Belgians. On the contrary, by such policy our interests would go down in a most disastrous manner. He admitted, that Mr. Hoppner, who was alluded to, was, as a private gentleman, a person of perfect respectability. He had spoken of him only as a public man, and he must say, that in the present state of Portugal, deserted as she was by this country, such an individual ought not to remain in charge of a diplomatic concern there.

The Marquis of *Lansdown* said, it was not his intention to enter into the question which had been brought forward, but he could not avoid saying a few words on the extraordinary course pursued by the noble Marquis. He would put it to the noble Marquis himself, whether it was fair to bring openly a charge of this kind against a public officer, on information which, as far as the noble Marquis had gone, was anonymous.

The Marquis of *Londonderry* said, he rose to explain [cries of "Order" from the Ministerial side, in the midst of which the noble Marquis continued for some moments to press himself on the attention of the House]; at length the noble Marquis said he rose to order. [The cries of "Order" were continued.]

The *Lord Chancellor* rose to order. He said, the noble Marquis had the right to rise to order if any thing disorderly, which he certainly had not heard, had fallen from his noble friend (the Marquis of Lansdown), but he had no right to interject a speech, by way of explanation, between an unfinished sentence of any noble Lord who was addressing the House. It certainly was often a convenience to allow of interruptions, where the interruption was to set the noble Lord speaking right as to a matter of fact; yet, even in that case, it was only by the courtesy of the noble Lord who was speaking that any other noble Lord could be heard; but it certainly was not in order for any noble Lord to rise to explain in the middle of the speech of another noble Lord.

The Marquis of *Lansdown* said, he should be sorry to deny an act of courtesy to any noble Lord in that House; but if the noble Marquis would have the kindness to hear him, he would be able to say whether he was correctly stating the proceeding which the noble Marquis had adopted. He was stating, when the noble Marquis interrupted him, that the noble Marquis brought a charge against a diplomatic agent upon the foundation of an anonymous letter; and he was proceeding to observe, that although the noble Marquis could not deny, that the information was anonymous, inasmuch as he had not stated the name of the author, yet he had certainly stated, that he was prepared to communicate it to the members of his Majesty's Government, but with this preliminary condition, that they should agree, on receiving that communication, to prejudge Mr. Hoppner. Well, at least, to examine into the case. He contended, then, that even in the view admitted by the noble Marquis, such a case would be most unjust. If the noble Marquis meant to refer the case to the judgment of his Majesty's Government, it was his duty to make a communication to the Government, and to enable the Ministers to adopt such proceedings as they should judge proper.

As he knew that it was not the good fortune of his Majesty's Government to possess the confidence of the noble Marquis, if he did not think proper to intrust the paper to them, previously to making his statement, it was his duty to have brought forward, upon the letter, to which he, of course, attached credit, some parliamentary proceeding, by submitting a motion for inquiring into the conduct of Mr. Hoppner. He must beg to state, that although he had not the satisfaction of having any personal knowledge of that amiable and excellent man, as he believed him to be, from the reports of others, yet, from all his knowledge of his proceedings in Portugal, he was convinced, that there was not one of the charges made against him which was well founded. But whatever might be the feeling of the noble Marquis, as to the conduct of the individual, that House would never countenance a proceeding against him without hearing the individual in his own defence, without hearing the case fully stated, and giving him the opportunity to which he was entitled of rebutting statements which, if proved, would be inconsistent with every fact which had come to his knowledge, with respect to the conduct of Mr. Hoppner. Therefore, until the noble Marquis brought forward such a motion—which, after what had passed, he was bound to do, and which he had no doubt Mr. Hoppner would be ready to meet—he was sure the character of that amiable, excellent, and accomplished individual would not suffer in the estimation of the House or of the country. Having said so much, he was not anxious to go into the subject of debate, notwithstanding the taunts of the noble Marquis. The noble Marquis stated, that his Majesty's Government intended to shelter themselves under the opinion of the King's Advocate. It was a new charge to accuse any Government, in the steps which it took on points involving the law of nations, of neglecting to receive all the information they could obtain. It might, indeed, be more consonant with the policy which the noble Marquis would recommend to overlook all the facts, either as regarded Don Miguel, whom the noble Earl's correspondent panegyrised, or Mr. Hoppner, whom his correspondent, he would not say libelled, but attacked; but such a course would not become his Majesty's Government in conducting the affairs of State. The noble Marquis had declared, that if the opinion of the King's Advocate were produced, it would countenance his views on the subject; and the noble Duke had also called for the production of that opinion; and his Majesty's Government had been charged with sheltering themselves under an opinion which, if produced, would not bear them out in the course which they had pursued. From the general character of the discussion which had that night taken place, if discussion it could be called, it was clear, that in assenting to the production of this document his Majesty's Government had greatly disappointed the noble Earl and his friends. It was clear that they had asked for the paper, not only with the hope, but in the expectation, that it would be refused. It was granted. His noble friend had stated, that in a few days it would be produced, and then the other side, instead of waiting for its production, were anxious to raise a discussion on papers devoid of authenticity; to satiate the minds of the House with such a discussion not founded on facts; to bring forward what statements they pleased from foreign newspapers and other quarters; to take all the advantage which they could of this sort of premature and illegitimate discussion, and to anticipate and avoid that discussion which was desired by all who wished for a fair, a manly, and an open consideration of the question. Into the particular dates and circumstances of the case, as they would appear more distinctly hereafter, he would not then be tempted to enter. But as the noble Duke had referred to the conduct of his Majesty's Government with respect to the proceedings of the French fleet in the Tagus; and as the noble Duke had said, that his view of that conduct had been altered by the circumstance of its now appearing that we had only followed the French in demanding satisfaction from the Portuguese government; whereas he had formerly believed, that we had led the way in demanding that satisfaction: and as the noble Duke had observed, that that made all the difference in the case, he begged to trouble their Lordships for a few moments on that part of the subject. The noble Duke contended, that if we had preceded the French government in requiring satisfaction from the Portuguese government, and the French government had followed us in that demand, that the course of conduct which we had adopted would, in that case, have been perfectly justifiable. The noble Duke's argument went to this, that if we did not want justice from the Portuguese government, but France did—then if France preceded us in the demand for justice, which justice we did not want, because she preceded us, she was not entitled to justice. If the noble Duke had said, that there might be considerable difficulty in ascertaining the particular dates and points of the different grievances complained of to the government of Portugal by the representatives of the different countries—recollecting that both the French and English Governments had to complain—not of one grievance, but of a long accumulation and mass of grievances, the statement would have been a just one. But if the noble Duke meant to direct his observations to the energy and promptitude with which either the English or French Government set the example of the manner in which a great nation ought to redress its grievances and vindicate its honour, he would tell the noble Duke, that it was the English Government which first sent a fleet to the Tagus in the Spring, and that it was not until the month of June that the French fleet followed. Not meaning to enter further into the subject at present, he would, however, observe, that there was one point on which he entirely agreed with the noble Duke and the noble Earl. He entirely agreed with them, that in asserting the honour of the country, his Majesty's Ministers were bound not to indulge in any speculative opinions of their own with respect to the forms of government in the country with which they were engaged in discussion, but that they were bound to look solely at the relation and connection between the two countries. He hoped that when the subject came regularly before their Lordships, it would distinctly appear, that in no transaction which had taken place between his Majesty's Government and the government of Portugal, the former had been actuated by a disposition to do anything but to maintain the relations between this country and Portugal, as far as the calls of justice would permit. But he must say—especially after what their Lordships had heard that day, and after what had fallen from the noble Earl, lately his Majesty's Secretary of State for Foreign Affairs—that if a government required our protection, not only in acts of justice, but in acts of injustice, the sooner that government was taught to know that acts of injustice, committed with reference to its own subjects, or to foreign States, would not receive the protection or encouragement of this country, the better. Whatever might be the circumstances of Portugal, its king, its government, and its people, ought to be taught, that they could rely on England for protection and support, only while they pursued an honest, open policy, and were faithful to their treaties with foreign Powers; but that if they pursued a different line of conduct, they would lose the benefit of that protection and support. That was a lesson which he trusted Portugal would ultimately learn; and in the mean while, no disposition existed on the part of his Majesty's Government to take any step which could be avoided, that might retard the restoration of the relations of Portugal with other States of Europe, which on many accounts he admitted it was most desirable should be restored.

The Marquis of *Londonderry*, in explanation, said, he was sure the noble Marquis (Lansdown) did not intend to show any want of courtesy to him in not giving way to the explanation which he was about to offer. The noble Marquis could not correctly call the information which he had mentioned anonymous. He had stated it on the authority of an officer of rank, and he had offered to lay the whole of the letter before any of his Majesty's Ministers; but as the noble Marquis had called it anonymous, he could have no objection to state the name of the distinguished officer from whom it came. The officer was Brigadier-General Sir John Campbell. He was unwilling to mention his name, except in the way he had at first proposed; but he must say, that the gallant officer from whom the letter came had no objection to the mention of his name. He must stand excused, therefore, if he relied upon such information; and he must add, that all the information which had reached him on the subject of the interference of our diplomatic agent at Lisbon, was the very reverse of that which he had heard from his Majesty's Ministers on the subject. The information he had mentioned was sufficient to rescue him from the charge of relying upon anonymous communications.

The Duke of *Wellington*, in explanation, said, he had not entered into the cause of the quarrel between France and Portugal: he spoke only of the acts of France, and of what he considered the inconsistency of those acts, according to her own showing.

The Duke of *Richmond* said, that his noble friend (the Marquis of Lansdown) was perfectly justified in applying the term "anonymous" to the communication made by the noble Marquis opposite. The noble Marquis had now mentioned the name of his correspondent, and he must say, that Brigadier-General Sir John Campbell was a very meritorious officer, and had distinguished himself during the Peninsular war, but he was married to a Portuguese lady, a Miguelite, and it was not improbable, that his opinions had received a bias on that account. But there were two parties involved in such a charge as the noble Marquis had brought, and before their Lordships could come to a correct conclusion on the subject, it would be but fair to hear the answer to the charge. The noble Marquis had read a part of the letter: now he should like to put a question to the noble Marquis, which he hoped he would have no objection to answer. He should wish to ask him, what number of his subjects that excellent king, Don Miguel, to whom the noble Marquis and his correspondent had given so good a character, had now in prison. He had heard that they amounted at least to 6,000; but he should like to hear, from so good an authority as that of a friend of Don Miguel, what number he would admit, because, in that way, their Lordships might judge whether Don Miguel was entitled to the praise which had been given to him.

The Marquis of *Londonderry* said, he did not feel called upon to answer the question of the noble Duke, because the noble Duke seemed to assume, in the outset, that a British officer of rank would, in consequence of his assumed prejudice, state that which he did not believe to be true. He would say, that no British officer of rank would state what he did not believe to be true. He would not give any further explanation to the noble Duke than this—that he was ready to submit the letter to the noble Lord, the Secretary for Foreign Affairs, and the noble Duke might get from that noble Lord any information he could on the subject. He was, however, quite sure, that Sir John Campbell would be ready to substantiate any of the statements contained in the letter.

The Duke of *Richmond* said, he was not disposed to quarrel with an old British officer on this subject, as the noble Lord seemed to put it in that way; but he would repeat what he had said, that the circumstances in which that officer was placed made it probable that he was biassed in the communication which he made. Further than that he would not say on that point; but he must observe, that if the noble Marquis attached such importance to this information, he should have put it into the hands of Ministers. It was not a fair way of putting it, to give half a case to their Lordships, and to suppress the other half, which perhaps might make so much for his purpose. As the noble Marquis had the whole case before him, he would wish to ask him, whether there were not 6,000 of Don Miguel's subjects in prison from their supposed hostility to him? He should like to know the whole of the particulars, and not a partial statement of them. The noble Marquis had said, that a British officer, high in rank, could not be supposed to state that which he did not believe, but he (the Duke of Richmond) had just as good a right to suppose, that an officer, of the high rank and character of Mr. Hoppner, would not be guilty of the acts that had been attributed to him. It was alleged, that he had attempted to revolutionize Portugal against its present government. Now, if he had done so, and he was continued in the public service after that was known to the Government, he, and the Minister who continued him, would deserve to be impeached; but the charge, he must say, did not come with much force, considering that the party making it was likely to be much biassed in his judgment; and though he would not say that that bias would induce any man of honour to state what was not the fact, yet the bias might induce him to believe that which a less partial person would doubt. He repeated, however, that the noble Marquis should have stated the whole of the case to the House, and have left it to form its judgment on the whole, and not on a partial statement, of which even the important fact of the name of the noble Lord's authority was brought out in an explanation. He must say, that the gallant officer was not over discreet in his mode of communicating this important information, nor was the noble Marquis much more so in his mode of laying it before the House.

The Marquis of *Londonderry* repeated, that he was willing to put the whole of the document into the hands of his Majesty's Ministers, and the noble Duke might get what information he could from them. He owned he did not expect to hear the noble Duke condemn, for want of discretion, an old officer who had seen much more service than the noble Duke himself, and who was as discreet as he was in his public duty.

The Duke of *Richmond* would not advert to the opinion of the noble Marquis as to his conduct, for the censure of some parties was praise; but, without meaning to disparage an old officer, he must say, that he did not think this mode of communicating his information was the most discreet. He (the Duke of Richmond) might be a very indiscreet Postmaster-General, but that would not alter the case with respect to the parties to this communication. If the gallant officer attached so much importance to it, he ought to have communicated it to the Government in the first instance. As to his own military services, he knew they were very small, and he was not in the practice of saying any thing of them.

The Marquis of *Londonderry* said, that if the gallant officer had communicated his information to Ministers in the first instance, the public might have heard nothing more about it.

Viscount *Melbourne* asked, to whom the gallant officer had addressed his letter?

The Marquis of *Londonderry* replied, that it was addressed to him.

The Petition to lie on the Table.

HOUSE OF COMMONS,

Monday, September 5, 1831.

MINUTES.] Bills committed. Commissioners of Accounts, Ireland; Clare County Presentments. Read a third time and passed; Hackney Coaches.

On the Motion of Lord ALTHORP, a Committee was appointed to inquire into the effects of the Drawback allowed on Malt.

Returns ordered. On the Motion of Mr. HUDSON, the number and tonnage of British and Foreign Vessels cleared out and inwards, from the Ports of the United Kingdom and Colonies during the year 1830; the Official and declared Values of the Imports and Exports to all parts of the world from the United Kingdom and the Colonies, and of all Foreign Wines on which a Drawback had been allowed on Exportation, during the same time.

Petitions presented. By Colonel EVANS, from Persons in Manchester, complaining of the Modifications which had been made in the Reform Bill; by Mr. BRISCOE, from Benjamin Wills, Secretary of the Labourer's Friend Society, praying that the power of the Parochial Authorities to hire land to the amount of fifty acres for the Employment of the Poor of the Parish might be extended; from Inhabitants of the Metropolis and its vicinity, complaining of the sentence passed upon the Rev. Robert Taylor, and praying the House to address his Majesty to liberate him from confinement. By Mr. FOLEY, from the Maltsters of Dudley, against the use of Molasses in distillation. By Mr. O'FERRALL, from the united Parishes of Allen and Miltown, Castle Carbery, Dunfierth and Arble, and five other Parishes; and by Mr. HUME, from the Catholic Clergy and Laity of the districts of Myross and Castlehaven, against the Grant to the Kildare Street Society. By Mr. O'FERRALL, from the Directors of the Patriotic Insurance Company (Ireland), for the Repeal of the duty on Insurances. By Mr. CRAMPTON, from several Individuals in Dublin, against the Dublin Election. By Mr. STEWART, from West-India Planters residing in Liverpool, against the Sugar Refining Bill. By Colonel CLEMENTS, from Kilmore, Leitrim, in favour of the Grant to the Kildare Street Society. By Mr. HUME, from the Householders of Marylebone, against the Self-elected Vestry, over which the Inhabitants at large have no control. By Mr. BRISCOE, from 250 Inhabitants of the Metropolis in favour of the Rev. Robert Taylor; by Mr. HUNT, from Persons assembled at the Rotunda, Blackfriars-road, for the Liberation of those Imprisoned for selling cheap Publications in the Streets. By Mr. Alderman WOOD, from Wharfingers in the City of London, and from Merchants and Shipowners interested in the Navigation of the River Thames, in favour of the Bill for the regulation of Steam-boats. By Mr. HUME, from the Members of the Parochial Reform Union, Clerkenwell, to expedite the progress of the Reform Bill.

RELIGIOUS PROSECUTIONS.] Mr. *Hume* presented three Petitions, the first from the inhabitants of London and its vicinity, the second from the inhabitants of the Metropolis and its vicinity, and the third (signed by 5,000 persons) from Manchester and Salford, stating, that the petitioners viewed with horror and alarm the prosecution of Mr. Taylor by the Society for the Suppression of Vice, and praying, that no legal restraint may be laid on the expression of religious opinions, and that the Rev. Robert Taylor may be liberated from confinement.

Mr. *James E. Gordon* said, that as allusion had been made by the petitioners to the Society for the Suppression of Vice, he felt called upon to declare, that it did not deserve the name of a persecuting society. It was formed, first for the suppression of the trade in licentious publications; it had, in consequence, instituted about seventy prosecutions, most of which had succeeded, and some of which were for very gross offences; 2nd, it was an object of the Society to repress blasphemous publications, and it had succeeded in shutting upwards of thirty places where such vile publications were sold. The 3rd object of the Society was, to enforce the laws for the observance of the Sabbath, and it had instituted upwards of 2,000 summary prosecutions, many of them at the instance of Magistrates and Clergymen. Probably, after this detail of the proceedings of the Society, there was no occasion to make any further defence for it, than to say it had numbered among its members and supporters many of the most eminent persons, and that there could be no possible imputations on the subscribers when called on to act as Jurors or Magistrates.

Mr. *Hume*, on moving that the petition be printed, said, he had yet to learn what right that Society had to set itself up as a conservator of the public morals. It was the duty of the Law Officers of the Crown to prosecute when there was a necessity for it, and such a power ought not to be exercised by any Society. The Government ought to put an end to it. It would be better for the people to maintain an officer for the purpose, for no man would tolerate or encourage a person in selling obscene prints and publications; but the great evil of the society was, those summary prosecutions for non-observance of the Sabbath; many of the members, probably, deserved as much to be prosecuted for breaking the Sabbath as those they prosecuted. He should like very much to see the names of all the subscribers.

Mr. *James E. Gordon* said, he would gratify the hon. Member, by presenting him at once with a list of the members of the Society. The hon. Gentleman had said, no man would encourage the sale of obscene publications, but then he desired the prosecutions should be conducted by a public officer. Experience, however, had shewn, that those persons were not diligent in searching out and punishing offences of that kind. The Society had the same right to prosecute as many other existing societies, which combined to protect property. It was only of late that efforts had been made in that House to protect blasphemy and obscenity.

Mr. *Hunt* was no advocate for blasphemy, but he was an enemy to prosecutions for religious opinions. He believed the House would have many more petitions to liberate Mr. Taylor, who, at least, ought to be removed to a prison where the regulations were not so severe.

Mr. *Pringle* said, the Society had not prosecuted for religious opinions, but for outrages on public morals. He could not agree with the hon. member for Middlesex, that a public prosecutor would be able to prosecute such offences. Such an officer could not uphold the laws of public decency so well as a society constituted for the purpose.

Sir *John Sebright* rose, in consequence of the remark made by the hon. member for Dundalk, to assert, that he had never heard any one advocate blasphemy, or encourage it, in that House. Some of the petitions presented by the hon. Member he could by no means approve of, but none of them went so far as to justify the remark of the hon. Gentleman.

Petition to be printed.

Mr. *Hume* presented a Petition from certain Inhabitants of Marylebone, complaining of the enforcement of the penalties of the Act, the 16th George 2nd, c. 23, against the hawkers of cheap publications in the streets of the metropolis, and praying, that the individuals at present in prison in default of the payment of such penalties, should be enlarged by an Act of Indemnity.

Colonel *Sibthorp* cautioned the House against the dangerous tendency of the publications in question, and observed, that the ingenuity of some individuals to defraud the revenue had been exerted to such a degree, that political information had been printed upon cotton handkerchiefs, in order to evade the stamp-duties on newspapers.

Sir *Francis Vincent* observed, that the more legislative enactments were made on the subject, the greater would be the ingenuity which would be exercised to defeat them. It was in vain for the Legislature to run a race of that kind with the people, for it was sure to be defeated.

Mr. *Wilks* said, that if the hon. member for Middlesex would bring in a bill to amend the Hawkers' and Pedlars' Act, it should have his cordial support.

Mr. Alderman *Wood* said, that one of the individuals to whom this petition referred, and who had been imprisoned in the Compter, had been amply indemnified by the unusual good feeding which he got there.

Mr. *Hume* said, that the only proper way to deal with the subject was, to repeal those laws which prevented persons who were able and willing to undertake the task, from answering in equally cheap publications, the dangerous doctrines which the publications now under discussion frequently advocated.

Petition to be printed.

SALE OF BEER ACT.] Mr. *Hume* presented Petitions from Stockport, in Cheshire, and from several individuals, retailers of beer, praying to be put under the same regulations with the licensed victuallers. He thought, that the establishment of these houses had been a great boon to the poor, by enabling them to procure good beer without the bad society of a gin-shop.

Sir *John Newport* agreed with the petitioners, and thought all retailers of beer and licensed victuallers should be subject to the same regulations. Whatever tended to induce the lower orders to drink beer instead of spirits, ought to be encouraged. He did hope, therefore, there was no intention to discourage these beer-shops by severe regulations.

Sir *Richard Vyvyan* said, that the complaint of the Magistrates was, that the beer-shops were not under the same regulations as the public-houses. He was anxious that additional power, with regard to the regulation of those beer-shops, should be given to the Magistrates.

Mr. *Wilks* observed, that no person could open a beer-shop without entering into a bond for the preservation of the peace, and such houses were at all times accessible to the police, in the same manner as the houses of licensed victuallers. He could not see what further was required. Of the 25,000 persons who had taken out licenses under the Act, 13,000 brewed their own beer, and were also licensed brewers. This was a sufficient proof, that the majority of the beer retailers were persons of capital and respectability. He hoped, therefore, there was no intention of crushing such parties.

Mr. *John Weyland* said, that the beer-shops in remote and country districts, should be put under very different regulations from those to which beer-houses in towns were subjected. In towns they were a great benefit, in the country a great evil. Respectable persons, who had elevated themselves from the lower ranks of life, had told him, that they feared great injury would accrue from the establishment of these houses.

Mr. *Hume* thought, that the evil was, that those beer-shops had been subjected to any regulations. For his part, he could not see why the sale of beer should be put under stricter regulations than those which applied to the sale of tea and sugar. He hoped his Majesty's Government would, before the end of the present session, bring in a bill to permit beer-shops to keep open as long as gin-shops.

Mr. *Daniel Whittle Harvey* said, the best course would be, to enable the poor man to brew his beer at home. He recommended the abolition of the malt-tax, and the substitution of a property-tax in its stead. There appeared at present a desire to assist the peasant, but as long as the excise penalties were so severe as to prevent even brewing utensils being lent, no amelioration could be effected.

Mr. *Estcourt* said, the hon. member for Middlesex had remarked, that beer ought to be sold like tea and sugar, but there was this obvious difference between them, one was an intoxicating beverage, the other not. His hon. friend had also been wrong when he said, gin-shops did the most mischief. They had none of these in the country.

Mr. *Hunt* said, there were public-houses in the country in which people drank gin, although in them malt-liquor was also sold.

Petitions to lie on the Table.

NEW WRIT FOR LIVERPOOL.] Mr. *Granville Vernon* said, that in rising to move, that the Speaker do issue his warrant to the Clerk of the Crown to make out a new writ for the election of a Burgess to serve in this Parliament for the borough of Liverpool, he could not but express his astonishment that his Motion should be opposed by those who, like himself, were the friends and supporters of the great measure of Reform that was now passing through the House. Had that opposition proceeded from those on the other side of the House, who were anxious to stave off the great measure, by the discussion and concession of some partial Reform, he should have felt no surprise; for it was part of their policy thus to divert attention from the great question. He contended, that the present case was very different from that of Grampound, where the issuing of the writ had been for a long time suspended. Grampound was but an insignificant borough; but the importance of Liverpool was such, that the burthen of the Representation of its important and varied interests, could be but inadequately borne by one individual. In fact, the merchants of Liverpool, who had lately presented a petition to the House on the subject, were the great sufferers from wanting a Member. It would probably save time, if he at once admitted, that a degree of corruption, much to be deprecated, both in and out of that House, had existed at different elections for Liverpool, and that that corruption was not exhibited for the first time in November last; but that the returns of Mr. Roscoe, Mr. Canning, and Mr. Huskisson, had also been tainted with it. He thought, that while so important a discussion as that of the Reform Bill was going on in that House, the town of Liverpool ought not to be left with only one Representative. The great object, he would contend, was, to purify the borough, and to set an example, that would have a beneficial effect upon the great body of electors throughout the kingdom. Now, both objects would be fully attained by the Bill then before the House for a general Reform in Parliament, which would give Liverpool a constituency of more than 14,000 electors. He thought, that most of the hon. Members whom he then addressed, would agree with him, that nothing could be more totally needless, than to enter into an investigation with respect to Liverpool, such as that which had been instituted with respect to East Retford, or even that with respect to Penryn. He would entreat the House to pause before it entered into a labyrinth of investigation, out of which it might not get for many years. Investigations of that nature generally compromised the respectability of the House, and were therefore, as well as on other accounts, productive of great evil. The House of Commons was a body particularly ill calculated to bring such inquiries to a satisfactory termination: there was no body worse calculated for judicial purposes. There could not be a worse system of proceeding for the House to adopt, in cases of that nature, than one which laid their decisions open to reversal in the Lords—a Court which could act as a Court of Appeal with vast advantages and facilities, as compared with those enjoyed by the House of Commons. He hoped further, that the House would agree to the motion with which he intended to conclude, for the issue of the new writ; for he could not conceive anything more inexpedient or unjust, than to deprive so large a constituency of the elective franchise, especially at the present crisis, when the rights of the community were at stake, being involved in, and bound up with, the great measure then under the consideration of Parliament. He concluded, by moving, "that Mr. Speaker do issue his warrant to the Clerk of the Crown, to make out a new Writ for the electing of a Burgess to serve in this present Parliament for the borough of Liverpool, in the room of John Evelyn Denison, Esq., who has made his election to serve for the county of Nottingham."

Mr. *Benett* said, that, as there had been an understanding in the House, that the writ for Liverpool should be suspended until he brought forward his motion on the subject, he felt he could not, with any regard for his own character or consistency, refrain from bringing forward that motion, by way of amendment to the Motion just made. He did not wish to delay the Reform Bill, but, as Chairman of the Committee on the Liverpool election petition, he felt it to be his imperative duty to propose a series of resolutions, pledging the House to take the subject into serious consideration. He could not at all agree with those who argued that the last election in Liverpool, in which no bribery was proved to have prevailed, was a sufficient proof of the restored purity of that constituency, or wiped away the stain which the corrupt practices, proved to have prevailed at the former election, necessarily threw on that constituency. He need only refer to the evidence taken before the Select Committee, and he put it to any man who had read that evidence to say, whether the House could overlook such practices, when brought before it upon the report of its own Committee? He could not suppose that there would be any unwillingness either on the part of Reformers, or those opposed to Reform, to punish such a case of gross delinquency. [The hon. Member then proceeded to read several extracts from the evidence taken before the Liverpool election Committee, which had been printed several months since, by order of the House, to prove the extent of the bribery which prevailed at Liverpool.] This evidence, he contended, could leave no doubt on the mind of any man that gross bribery and corruption prevailed most extensively in Liverpool at the election before the last. Five pounds were given by the friends of both candidates in the early part of the election, but as it proceeded, 40*l.* was the price given for a vote. It might naturally excite surprise that so large a sum should be spent by any men for the sake of obtaining seats in that House. It was to be considered, however, that there was enormous patronage in Liverpool, which had hitherto been placed at the disposal of the

Member for that town, if he happened to be a supporter of the Government of the day. Such practices, he hoped and believed, were now to be done away with for ever. It was notorious, however, that the situation of Town-clerk of Liverpool was worth 4,000*l.* per annum, and that there were several other situations averaging between 2,000*l.* and 3,000*l.* a year in that town, in the disposal of which the Members for the town had usually exercised a great influence. He did not believe that either of the Gentlemen who were candidates at the election impugned, had any sinister motives, or any other object in view but the laudable ambition of obtaining so high an honour as a seat in that House for the great commercial town of Liverpool. He acquitted the candidates themselves of any improper motives, but there might be other persons behind the curtain who had an eye to the disposal of the patronage, and with that view were willing to spend large sums of money in bribing the electors. However this might be, he conceived that the constituency of Liverpool, by gross and extensive corruption, had forfeited their rights. The elective franchise was given to them, as to all other constituent bodies, as a trust; that trust they had abused, and they had no right to complain if the Legislature deprived them of it altogether, or disposed of it in any way that might be deemed expedient. The hon. Member concluded by moving as an amendment to leave out all the words after "That" in the resolution and to add these words "this House doth agree in the report made by the Select Committee on the 26th March last, that gross bribery and treating prevailed at the late election for Members to serve in Parliament for Liverpool," instead thereof.

The question put on the Amendment.

Mr. *Hume* would support the original Motion, for when he considered the situation in which the House was placed by the Bill then going through a Committee, he could not but feel unwilling to go back to the election before the last for the purpose of punishing the electors of Liverpool. He should decidedly support the issue of the writ, for nothing appeared to him more unwise and unfair than to keep a large community like that of Liverpool for any further length of time without the benefit of a Representative. In the new constituency there would not be included above one-fifth or one-sixth of that portion of the old which was open to any suspicion of bribery; then why proceed to make a special law for the prevention of an evil which, under the altered circumstances of the elective franchise, no rational man could anticipate? Had it not been for the Reform Bill, he should certainly have supported the motion of the hon. member for Wiltshire, but there was obviously no utility in passing a new Act of Parliament, when the electors of Liverpool, in consequence of the Reform Bill, would have no opportunity of again committing the same offence.

Lord *Morpeth* would rather see means taken for the prevention than the punishment of crime. The innocent ought not to be punished for the guilty, and the great mercantile interests of Liverpool ought to be represented. The Reform Bill put an end to all necessity for suspending the writ, and he thought that the continued suspension of the writ, amounting to actual disfranchisement, would be exceedingly arbitrary, considering that it was done without the sanction of the other branches of the Legislature. The House of Commons even had not come to any decision on the subject—the Committee alone had decided.

Mr. *Wason* supported the Amendment, and contended, that it was an insult to the Reform Bill, and to the electors of England, to say, that that measure was intended to meet so gross a case of corruption as that of Liverpool. The noble member for Yorkshire seemed to think, that the Motion was one of expediency; but he must deny that it was any such thing. It was a question of justice; and, being so, expediency had nothing to do with it. The electors of Liverpool had forfeited their right to return Members to that House, and, having done so, no blame could rest upon the House for withholding the writ. But they were mincing the matter. The fact was, that General Gascoyne was no longer returned for Liverpool. Had that gallant General been returned to the present Parliament, the old unanimity of the last Parliament would have been found still to prevail. When the resolution affecting Liverpool was formerly presented to the House, it was agreed to almost unanimously. The Reform Bill, unamended certainly, was at the same time before the House, and yet none of the arguments now advanced in favour of issuing the writ were then brought forward.

Mr. *Labouchere* thought, that the conduct of the freemen of Liverpool justified their disfranchisement; but, on the other hand, it was a great hardship to leave the great commercial interests of that town with only one Representative; and it was on that ground alone that he should vote for the issuing of the writ. At the same time, he hoped that these freemen would soon be overtaken by a just measure of disfranchisement.

Mr. *Croker* said, it was really curious that the hon. member for Bassetlaw should be the person to submit the Motion then before the House. It was a fact worthy of being recorded, especially in these reforming times, that one of the Representatives of the district last created for the purpose of preventing corruption, should be the person now to move, that convicted corruption should be set at liberty, and allowed to run its course in triumph. He was not present when this question was before under the consideration of the House. Had he been, he should have entertained very grave constitutional doubts as to the propriety of suspending the issuing of the writ. The issuing of the King's writ, in his opinion, acted as a sort of condonation of the offence the electors of Liverpool had committed, and he thought it was dangerous and unadvisable for that House, in election cases, to revive questions entertained by former Parliaments, and which had not been purposely reserved for its consideration. At the same time, however, he was aware, that this case presented itself under peculiar circumstances. The issuing of the King's writ, in consequence of the late dissolution, was a matter of surprise; it was unexpected, and it suspended an inquiry of great importance to the privileges of that House, and the rights of the people; and therefore, hon. Members who agreed with him as to the general constitutional objection, still might say, that those very peculiar circumstances justified their voting for the continued suspension of the writ in the new Parliament. But then came a question upon the back of that, of vast importance. The Reform Bill was before the House. The clause of that Bill which continued to existing freemen the franchise for their lives, would operate not only condonation and forgiveness to the corrupt, convicted electors of Liverpool, but it would place them on a superior eminence, and give them advantages which it denied to thousands of honest, intelligent, and unsuspected voters. While the Reform Bill deprived the free and honest elector of the franchise, it secured that privilege to the corrupt freeman of Liverpool. He rested his support of the proposition of the hon. member for Wiltshire, upon the simple fact, that thousands of the electors of Liverpool had been convicted of corruption, and he could not consent to grant to such electors the right of exercising, for their lives, the elective franchise. It was said, the Reform Bill was to purify the constituency, but how would it operate in Liverpool? Looking at that town, and the election battles that had been fought there, no one could doubt, that the respectable electors were pretty equally divided into opposite parties, and who then was to turn the scale, and to form the majority? Why these three or four thousand corrupt and convicted freemen, whose rights were to be preserved to them. He regretted to have been obliged to speak before the noble Lords (Althorp and John Russell), who might be considered as the godfathers of the Reform Bill, for he should certainly have liked to have known, before he addressed the House, what view of the question they now supported, and to have heard upon what grounds they defended the clause which was to preserve the elective franchise to the corrupt and convicted freemen of Liverpool. Such a proceeding would hold out a bounty to corruption, and do the most serious injury to real Reform. There was also another, not unimportant consideration—they must recollect, that they had once already decided this question. Were they to stultify the votes they had already given for suspending the writ? After that solemn step, they could not direct the writ now to issue, without most serious injury to the character of the House. Those who, like him, thought the present state of the Representation fully adequate to every useful purpose, and that, when individual cases of corruption occurred, they ought to be adequately punished, must oppose the Motion for the issue of the writ. The only reason assigned was, that one Member alone, though he were Atlas himself, could not support the great weight of the interests of Liverpool, and therefore, he required the aid of a Hercules to alleviate the burthen. But supposing for a moment, that the present Atlas of Liverpool were unequal to the discharge of his duties to his intelligent, wealthy, and independent constituency. How was it proposed to remedy this defect? why, by giving him a colleague, who would represent, not the wealth, intelligence, and independence of Liverpool, but the venality, corruption, and profligacy, which it was now proposed to dig out of the grave in which we ourselves had buried them, and to reinvest them with the powers of election. The fact was, that the suspension of the writ killed them, and this was a galvanic experiment to give them an appearance of life. If he could feel a pleasure in seeing the Reform question itself dragged through the mire, he could not desire a more grateful sight than to find such a Motion as this, for rewarding and perpetuating convicted corruption, made by the hon. member for Bassetlaw, supported by the member for Middlesex, and cheered by so many Reformers.

Lord *Althorp* felt himself placed in a situation of some difficulty. He had, on the occasion alluded to by the right hon. Gentleman, voted for the issuing of the writ, because he felt that it was highly inexpedient that a town of the vast commercial importance of Liverpool should be but half represented in that House, on account of the mal-practices of a portion of the electors. He was of the same opinion still—the rather, as the issuing of the writ would not preclude or interfere with the question of the expediency of punishing those corrupt electors; and therefore he would, were his view of the case confined to that single point, vote for the hon. member for Bassetlaw's motion. Still, however, he felt the force of the objection of the right hon. Gentleman, founded on the inconsistency of their then voting in the teeth of their former decision, and therefore felt himself compelled, contrary to his own individual opinion, to vote for the hon. member for Wiltshire's amendment.

Mr. *Granville Vernon* replied. The right hon. Gentleman (Mr. Croker) had expressed his surprise that he, as member for Bassetlaw, had brought forward this motion in favour of the corrupt freemen of Liverpool. He understood what the twitting meant; but he begged to ask the right hon. Gentleman, whether he himself, when the East Retford case was before the House, had not voted for the continuance of the franchise to the freemen of that place, though their corruption was proved at the expense of 19,000*l.* to the country?

Mr. *Hunt* was glad that the noble Lord, the Chancellor of the Exchequer, had expressed himself in the way he had done; for, if the House were to vote for the issuing of the writ without inquiry, he should consider it one of the greatest disgraces that could happen. Had he not been aware that such a motion as that intended by the hon. member for Wiltshire was to come on, he certainly should have moved as an amendment, on the clause for continuing the franchise to freemen for life, that the electors of Liverpool be excepted.

Mr. *Wilks* was sure the House would not have sanction d the motion for suspending the issue of the writ, could it have contemplated the long delay, with all its consequences, that had ensued.

Mr. *Ewart* said, it was a feeling of delicacy that prevented him from expressing his sentiments at length. He would therefore simply assure the House, that he should not vote at all, did he not feel that, if he represented any other place, he should think it his duty to vote for the issuing of the writ for Liverpool.

Mr. *Cresset Pelham* would vote for the Amendment. It was no argument against the motion for punishing the guilty electors of Liverpool, that two or three months had now intervened since that town had its full amount of Representation, because, in a question of justice, time was a secondary consideration. It was admitted on all hands that a very large number of the electors of Liverpool had been guilty of gross corruption; therefore the only question was, how justice could best be administered. The sooner and the more efficaciously, in his mind, the better; *fiat justitia—ruat cœlum.*"

The House divided on the original question; Ayes 35; Noes 76;—Majority 41.

Words proposed were added; main question, as amended, put and agreed to.

List of the AYES.

Biddulph, R. M.
Biddulph, J. M.
Blamire, W.
Byng, G.
Callaghan, D.
Campbell, J.
Denison, J. E.
Denman, Sir T.
Dixon, J.
Ellice, E.
Fergusson, Gen.
Gurney, H.
Heywood, B.
Hudson, T.
Hume, J.
James, W.

Johnstone, A.
Kennedy, T. F.
Labouchere, H.
Lennox, Lord J. G.
Macauley, T. B.
Macnamara, W.
Moreton, Hon. H.
Morpeth, Viscount
Morrison, J.
Newark, Lord
Power, R.

Pryse, P.
Strickland, G.
Strutt, E.
Thicknesse, R.
Warburton, H.
Wilks, J.
Wood, Alderman
Wrightson, W. B.

TELLERS.

Ewart, W.
Vernon, G.

List of the NOES.

Althorp, Viscount
Astley, Sir J.
Bankes, W.
Baring, H.
Bernal, R.
Best, Hon. W.
Blackney, W.
Blount, E.
Cavendish, W.
Calcraft, G.
Chandos, Marquis
Clements, Colonel
Cole, Lord
Croker, Rt. Hon. J. W.
Dick, Q.
Dundas, R. A.
Douglas, W. K.
Estcourt, T. G. B.
Ellis, W.
Encombe, Lord
Fane, H.
Fergusson, C.
Fergusson, Sir R.
Gordon, Hon. Captain
Gordon, Captain J.
Gordon, R.
Hayes, Sir E.
Herries, Rt. Hon. J. C.
Houldsworth, T.
Hodges, T.
Holmes, W.
Hunt, H.
Johnstone, J. H.
Jones, T.
Kenyon, Hon. L.
Lefroy, Dr.
Lowther, J.
Loughborough, Lord
M'Kinnon, W. A.

Malcolm, Sir J.
Meynell, Captain
Newport, Sir J.
North, F.
Nowell, A.
Nugent, Lord
Nugent, Sir G.
Pemberton, T.
Pepys, C. C.
Perceval, Colonel
Pelham, C.
Phipps, G.
Pigott, G.
Pollock, F.
Ponsonby, Hon. G.
Praed, W. M.
Pringle, A.
Rice, Hon. T. S.
Ridley, Sir M. W.
Robinson, G. R.
Ross, C.
Russell, Lord J.
Shaw, F.
Smith, V.
Somerset, Lord G.
Stanley, Rt. Hon. E. G.
Sugden, Sir E.
Thomson, Rt. Hon. C.
Torrens, Col.
Venables, Alderman
Walker, W.
Wetherell, Sir C.
Wilde, T.
Williams, W. A.
Wrangham, D. C.
Young, J.

TELLERS.

Benett, J.
Wason, W. R.

It was then resolved, on the motion of Mr. Benett, "That such bribery and treating requires the serious consideration of the House." The hon. Member then moved that leave be given to bring in a bill to prevent bribery and corruption at Liverpool.

Mr. *Hume* had not agreed to the last Resolution, and had not voted for the issuing the writ to promote delay. The issuing of the writ would prevent all delay, and this bill, which was to attain a trifling object, would promote delay. He regretted that his Majesty's Ministers had not thought it their duty to support the issuing of the writ. He should not object to bringing in the bill; but he certainly should oppose it at every subsequent stage, if it were likely to delay the Reform Bill.

Mr. *Cresset Pelham* expressed his extreme surprise at hearing that the hon. member for Middlesex, who had on so many occasions occupied the House with discussions on matters of justice, would oppose this measure. The hon. Member had travelled all over the kingdom for grievances, particularly with respect to the inferior officers of the army, and therefore his present observations were particularly ill-timed, as it was evidently the intention of the House to proceed without delay with the Reform Bill.

Mr. *Cutlar Fergusson* concurred with what the hon. Gentleman who had spoken last had said. He felt totally unable to reconcile the speeches and conduct of the hon. member for Middlesex with his notions of consistency, the evidence before the election Committee, proving the existence of bribery and corruption at the Liverpool election to be so manifest, that he considered it incumbent upon the House to take some steps to show its sense of displeasure. He believed that no case had ever been presented to a Committee of that House, so fraught with corrupt practices, and where bribery had been carried on in a more flagrant manner. They saw their way pretty clearly with the Reform Bill, and he knew no reason why they might not proceed with this bill afterwards.

Mr. *Warburton* said, if the bill now sought to be introduced were likely to delay the Reform Bill, he should oppose it. He understood that the hon. Gentleman (the member for Wiltshire) would only introduce it, and not press the further stages at present. If the bill delayed for a single day the English, Scotch, and Irish Reform Bills in their progress through the House, he certainly would not give it his support; but, if it were intended to proceed with it after those measures should have received the sanction of the House, why then he would not oppose its introduction.

Lord *John Russell* would agree with the hon. member for Middlesex, if the bill were calculated to stop the progress of the Reform Bills for Ireland and Scotland.

But he should differ from him if he said that the bill was not to be entertained at all. He thought that the measure was a most proper one. It was, in his opinion, more necessary than ever, when the Bill of Reform was about to be completed, that it should not be allowed to go forth that the House was disposed to encourage corruption. It was more necessary than ever that the House should take measures to prevent such a supposition from being formed.

Mr. *George Robinson* thought the hon. member for Wiltshire did not mean to delay the Reform Bill. If leave were given to bring in a bill for preventing bribery and corruption at Liverpool, he supposed that his hon. friend would postpone the further consideration of it till after the Reform bills were passed. It would be disreputable in the House to suffer this corruption to go unnoticed, and the last days of the present Parliament could not be better employed than in stigmatizing and punishing such a gross case of corruption.

Mr. *Croker* looked upon the motion as calculated to accelerate Reform. It was impossible to allow that clause of the Reform Bill, relative to freemen, to pass as it at present stood, unless there was a prospect of a bill like that now proposed being introduced. It was not possible to pass that clause and allow the freemen of Liverpool to be exonerated; and therefore it would prevent discussion upon the Reform Bill, to bring in the present bill.

Mr. *Benett* thought the hon. member for Middlesex might have inferred from his conduct that he would do nothing to retard the success of the Reform Bill.

Mr. *Hume* would not object to the bill if it were not to be proceeded with till after the Reform Bills were out of the House.

Leave given—the Bill to be brought in.

REFORM BILL—PAYMENT OF BARRISTERS.] Lord *Althorp* had to signify to the House his Majesty's recommendation to provide for the payment of the Barristers employed in making out the list of voters in counties under the Reform Bill. But, before that could be brought up to the Committee, it would be necessary, as it was a money clause, that they should have agreed to it in a Committee of the whole House. As it was a mere formal matter, he trusted that there would be no objection made to the House's resolving itself forthwith into a Committee for the purpose. His Lordship accordingly moved that the House do resolve itself into a Committee of the whole House, to consider the means of providing payment for Barristers employed in revising the lists of votes at elections.

On the question that the Speaker do leave the Chair,

Mr. *Baring Wall* said, that he could not allow this motion to be put without asking the noble Lord opposite a question which he deemed of great constitutional importance. The House would perhaps recollect, that on the evening of the 2nd of September a debate had taken place in the Committee on the clause for the appointment of Commissioners to carry into effect certain objects mentioned in the Reform Bill. Since the occurrence of that debate he had received some documents from the country, which he had read with the most unfeigned astonishment. The debate to which he had referred took place on Friday, the 2nd of September. He, however, held in his hand a letter dated August 24th, which ran in the following terms: "Gentlemen; I am directed by Lord Viscount Melbourne, one of his Majesty's principal Secretaries of State, to desire that you will give Messrs. Dawson, Drinkwater, and Sanders, every information in your power as to the boundaries of the parish of St. Mary, Guildford, and as to the number of rated houses contained therein. I am, Sir, your obedient servant, S. M. Phillips." The letter was directed "To the Churchwardens and Overseers of the parish of St. Mary, Guildford." From this document it appeared that the Secretary of State for the Home Department was employed on the 24th of August, in signing circulars to obtain information for the Commissioners under the Reform Bill, the appointment of none of whom was at that time sanctioned even by the Committee on that Bill. The document which he had just read to the House, was sent off by the Home Secretary, along with another, to which he now begged to call the attention of the House. Messrs. Dawson, Drinkwater, and Sanders, received a communication from Lord Viscount Melbourne, and in consequence of it, set off immediately for Guildford. On arriving at that place, they sent a circular to the Churchwarden and Overseers of the parish of St. Mary, dated "The White

Hart Inn, Guildford, August 26th," calling upon them to produce the rate-books of that parish before them as soon as convenient. Let the House observe the dates, for they were material, which he had mentioned in this transaction. The first document which proceeded from Lord Melbourne, was dated the 24th of August; the Commissioners set off for Guildford, and wrote their first circular on the 26th of August, and yet it was not till the 2nd of September that the clause for the appointment of Commissioners was discussed in the Committee. He thought that this was treating the House of Commons a little too cavalierly. He could not help thinking that there was something very singular in this proceeding. It would have been more consistent with the usual fairness of the noble Lord opposite, to have waited till the sanction of the Committee had been given to the appointment of these Commissioners. He was aware that great inconvenience might perhaps arise from postponing the appointment of the Commissioners till the Bill had got through that House of Parliament—through the other House of Parliament, he believed, in his conscience, that it never would get. He contended that hon. Members ought to have had an opportunity of stating their opinions as to the extent of the inquiries to be made by the Commissioners, for many gentlemen, as was notorious, had already objected to the character of the Commissioners. He had thought it right to make a statement of these circumstances to the House. He did not know whether he should found a specific motion upon them. He could not, however, refrain from calling the attention of the House to them, because he held it to be an act of presumption for Ministers to anticipate the judgment of the House on any point, and still more so on an appointment of this importance. He should conclude by asking the noble Lord, whether all the circulars were sent on the 24th of August to the Commissioners, who were not then appointed, but only proposed to be appointed by the House of Commons?

Lord *Althorp*, in reply to the hon. Gentleman, begged leave to acquaint him, that the letter which had been addressed to the Overseers of St. Mary's, Guildford, by the Secretary of State for the Home Department, contained nothing else but an order for them to give that information to Messrs, Dawson, Drinkwater, and Sanders, which the Secretary of State had a right at any time to demand from them. The hon. Member had said, that he (Lord Althorp) would have acted with greater candour, if he had waited till this Bill had passed through the Committee before he had appointed these Commissioners. But at the very time that he had proposed this clause to the Committee, he had stated, that inquiries were even then making to facilitate the future labours of the Commissioners. He thought that the more information they could collect before the Commissioners commenced their labours, the more likelihood would there be of those labours being brought to a satisfactory and speedy conclusion; for the Commissioners, having some preliminary information on which to act, would be the better able to examine each case maturely from knowing the points to which their attention ought to be directed.

Sir *Charles Wetherell* contended, that so direct an infringement of the privileges of Parliament as that which the hon. and gallant member for Weymouth had just brought under the notice of the House, never had been committed at any previous time. It was so enormous, that he would not discuss it incidentally; and therefore he now gave notice, that he would bring forward a specific motion respecting it on Wednesday next. He said, that it was a monstrous infringement of the privileges of Parliament for any Secretary of State to name a set of individuals to carry on the functions of an Act of Parlianent, before it had gained the sanction even of a Committee of that House, or had even been mentioned in the other House of Parliament.

Mr. *Hume* was certain that, in spite of all the denunciations of the hon. and learned Gentleman who had just spoken, the country would think that the Government had only performed its duty in seeking to obtain this information. That such a question as that which the hon. and gallant member for Weymouth had submitted to his noble friend should have been gravely submitted to him, did not at all strike him with wonder; for it was only part of the game which hon. Gentlemen had been long playing, with a view of stopping the progress of the Reform Bill. He was surprised—no—he was not surprised, when he heard Gentlemen, who had long taunted Ministers with not making sufficient inquiries, now taunting them with having made too many inquiries. To blow hot and cold in this manner was so common a practice with the Anti-reformers, that no Reformer could be surprised at it. He urged Government to proceed in collecting, without delay, all the information which they could for the Commissioners.

Mr. *Baring Wall* now understood from the noble Lord, that the Commissioners had no authority to compel the information to which the letter of the Under-Secretary had reference. He had that morning received a letter from his friend, the Church warden of Guilford; he would repeat that it was from a friend, and he hoped the country would know in what way the middle orders were treated when spoken of in that House. The Commissioners told that gentleman that they had come by the authority of his Majesty's Government, and he hoped that it would go forth to the world that the Commissioners had no such authority.

Sir *Edward Sugden* expressed his surprise at the extraordinary attack which the hon. member for Middlesex had made upon the Members on the Opposition side of the House. He did not find fault with the Government for getting all the information which they could respecting the working of the Reform Bill; but then they ought to get it on their own individual responsibility. The real question to be considered in this case was simply this—were these gentlemen travelling in their official character as Commissioners, or were they acting without any other authority than that derived from the Secretary of State?

Mr. *Warburton* said, what he understood the noble Lord to assert was, that the Commissioners had no authority under the Bill. They had, he presumed, authority from the Secretary of State's office, which he considered amply sufficient, and he was extremely glad to find that inquiries were set on foot to enable the Commissioners to perform their duties.

Mr. *Hughes Hughes* said, that it was most unfair to state that the noble Lord had not acted with his usual candour upon this occasion. He had heard the noble Lord, when he proposed this clause on Friday night, assert that the Government had already exerted itself to obtain considerable information for the Commissioners, and therefore the hon. and gallant member for Weymouth had only discovered that which in another place had been designated a mare's nest.

Mr. *Croker* was not versed in the language of slang, and therefore was not sure that he understood what a mare's nest was; but he suspected that by attending a little more than he had been in the habit of doing to the disquisitions of the hon. Member who spoke last, he might perhaps discover what was meant by "finding a mare's nest." At all events he thought he could venture to say that it was the contrary of that which his hon. and gallant friend had discovered in this case. If this mode of proceeding without parliamentary authority was undertaken for no other purpose than to obtain information, why had not the gentlemen who adopted it been sent to Guildford before the 26th of August? Why had they had such a long debate on the partial disfranchisement of Guildford without one particle of that information which these gentlemen had been despatched to collect? Why was that town placed in schedule B upon information which Ministers owned to be defective by appointing gentlemen to collect more?

Mr. *Hunt* saw amongst the names of the Commissioners the name of Tallents. Was this the same Mr. Tallents who was agent of the Duke of Newcastle at Newark, and who had been employed as the chief legal agent of Government in one of the Special Commissions? He had received many letters from that part of the country praying, that if he were the same Mr. Tallents, he might have nothing to do with providing for their rights.

Lord *Althorp* replied, that the Mr. Tallents, regarding whom the hon. member for Preston had asked a question, was the agent of the Duke of Newcastle. With respect to Guildford, he contended that the Government had not acted upon defective information: on the contrary, it had acquired as accurate information as possible. The delay in proceeding with this Bill was so great—he blamed nobody for the delay; but did hon. Gentlemen mean to say, that the Bill had passed rapidly through its present stages? As the term delay seemed to be offensive, he would not use it; he would only say, that the Bill passed so slowly, that Government thought it desirable to collect as much preliminary information as could be obtained, in order that there might be as little delay as possible when the Commissioners commenced their labours.

Mr. *Croker* entertained from this enquiry and discussion, some hopes, that they should eventually be able to rescue Guildford from the fangs of schedule B.

Mr. *Keith Douglas* said, that as there was now a vast accumulation of orders on the paper, there being not less than thirty for that day, he would take the liberty of asking the noble Lord, when he intended to bring on his motion on the Sugar-refining Act. He gave notice, that whenever the noble Lord brought on that motion, he would move as an amendment to it, that the House do resolve itself into a Committee of the whole House, to take into consideration a statement submitted by the West-India interest to the Board of Trade, as to the situation of the West-India colonies.

The House resolved itself into a Committee of the whole House.

Lord *Althorp* proposed a Resolution—"That the Commissioners of his Majesty's Treasury of the United Kingdom of Great Britain and Ireland, be authorized to direct the payment of the expense incurred by the Barristers employed in revising lists of voters at county, city, and borough elections."

Sir *Charles Wetherell* asked how many Barristers would be appointed?

Lord *Althorp* replied, that the Bill did not settle the number.

Mr. *Hume* had considerable doubts whether the public should pay these appointments. One of the best checks to prevent the expense of these appointments from being considerable, would be to make the counties and boroughs pay it. The examination of voters might be protracted from five to fifty days, and therefore the local authorities ought to have some control over the conduct of the Barristers.

Lord *Althorp* was sure that his hon. friend must be aware, that if this expense were charged on the county rates, there could be no greater check upon its amount than there was at present. The appointment would be made by the Judges of assize, and the county would have no check upon it. The country ought to pay the charge of these appointments, as they were made for the benefit of the country at large. Besides, it would be unfair to put the expense of the borough Barristers on the county rates.

Mr. *Wilks* had been going to press on the noble Lord the necessity of having the expenses incident on this Bill thrown on the public rather than on the county. The expenses incident on the metropolitan districts would be enormous. In the Tower Hamlets alone the expenses would be more than 1,000*l.* every year. The people generally would feel considerable dissatisfaction should the salaries of the Barristers be defrayed out of the Poor-rates.

Mr. *Hunt* was of opinion, that those who gained votes by the Bill should pay the expenses of securing them, and that those who gained nothing by the Bill should not be called on to pay anything. If a definite sum had been asked for, he might not have objected; but as it might amount to a large sum, he protested against it.

Mr. *Hume* suggested, that any individual who registered his vote should pay a shilling or half-a-crown at the time of doing that. By adopting that course, they would raise a fund sufficient to pay every expense. He understood that, in the county of Middlesex, there would be near 60,000 voters, so that it would be very easy to raise money enough in the way he mentioned. If they thought half-a-crown, or a shilling, too much, then he would propose sixpence, or any sum which would in that way raise a fund large enough for the purpose.

Mr. *Croker* said, they had heard a good deal of the anomalies of the Bill, but of all the anomalies they had yet heard, the most extraordinary would be that which the member for Middlesex wished to introduce—that those persons should in future pay money for giving their vote, after having, throughout all the former part of their lives, been receiving money for the same purpose. [*a laugh*]. Most certainly that was one of the anomalies to which he would offer no objection, but which he did not think was likely to be very popular with those for whose use the Bill seemed especially framed.

On the question that the Committee do agree to the Resolution—

Mr. *Hunt* wished that some definite sum should be named, instead of voting money in that manner, to be at the discretion of the Government.

Lord *Althorp* said, it would be impossible to tell what time would be occupied by the Barristers in the performance of the duties, and they could not, therefore, name any sum.

Sir *Charles Wetherell*, adverting to the report that the Commissioners, named last week, had already commenced their labours, begged to ask the noble Lord a question on that subject. Had the Government, or any member of the Government, promised these Commissioners a guinea a-day, and their travelling expenses.

Lord *Althorp* said, that some of the Commissioners had, he believed, been called on to act; but no sum beyond their travelling expenses had been promised, by any member of the Government, as a remuneration for their services.

Mr. *Croker* observed on the extraordinary fact of these Commissioners being employed, in this manner, before they were really appointed by the House, and before it was known that their services could be required; and the Government, at the same time, stipulating to pay the expense of that service.

Mr. *Spring Rice* said, the right hon. Gentleman must know, that the same course had frequently been followed, on other occasions, by the Government with which that right hon. Gentleman was connected, and the money afterwards voted among the contingencies.

Mr. *Croker* begged leave to deny altogether the correctness of the remark made by the right hon. Gentleman.

Sir *Charles Wetherell* said, the Government, in thus employing the Commissioners, and promising to pay them out of the public money, before they were really appointed, had been guilty of conduct most unwarrantable and illegal, and he should certainly bring the question, by a formal motion, under the consideration of the House.

Mr. *Hume* said, he could not allow the expression, "unwarrantable," to pass without reprehension. The Government had done what was quite right. It was just the same kind of justifiable expense as that which had been incurred in obtaining information before the introduction of the Bill.

Sir *Charles Wetherell* thought it rather odd to be called to account for the use of strong expressions, by the member for the county of Middlesex. Every body knew, that the language of the member for Middlesex was not the smoothest to be heard in that House, and that the hon. Member very frequently fell into very strong expressions himself. Every body knew that the sentences of the member for Middlesex required a good deal of the *limæ labor* to render them fit to appear as delivered in that House; and it was rather too much, therefore, that the hon. Member should take objections to his words. The member for Middlesex had rendered himself remarkable for his objections to expenses of all kinds; but his course in this case would be a little uncommon. The hon. member for Middlesex seemed inclined to allow the expense then, that he might have the pleasure of objecting to it afterwards.

Mr. *Hume* observed, that the learned Gentleman was perfectly wrong, and he was perfectly right. That was just the state of the case. If he had used the word "unwarrantable" improperly, he was sorry for it.

Sir *Charles Wetherell* said, that notwithstanding the hon. Member thought himself quite right, yet he should persist in giving notice when the Speaker resumed the Chair.

Mr. *Hunt* regretted, that the Commissioners were not to be paid for their labour; as there were lawyers among them, the people would naturally think they would do no work unless they were paid for it.

Resolution agreed to, and the House resumed.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-EIGHTH DAY.] On the motion of Lord Althorp, the House resolved itself into a Committee on the Reform of Parliament (England) Bill.

Clause 33rd, which requires the Overseers of the poor, in every parish, to make out an alphabetical list of the persons entitled to be registered, was then read. On coming to the words "shall, at the expense of the parish or township, on or before the day of it was proposed to fill up the blanks with the words "First" and "November."

Mr. *Wilks* said, he thought that was the proper occasion for the consideration of a suggestion he had to offer to the noble Lord and the Committee, with respect to the payment of the expenses of the lists, notices, and the other forms connected with the registration. The House and the Government did not, he thought, estimate, to its full extent, the cost of these proceedings. In the division of the Tower Hamlets, there would be 40,000 houses, for each of which there must be a separate return; all these would have to be arranged and analyzed; alphabetical lists to be made out, printed, and revised; and he believed the expense of carrying the provisions of the Bill into effect, in that district, would not be less than 2,000*l.* or 3,000*l.* a-year. He thought, that a sum so large as this should not come out of the rates. The measure, too, in populous places, would be attended with so much labour that the Overseers must be compelled to employ other persons to transact it. The expenses attending all this, ought not to be paid out of the poor-rates.

Mr. Alderman *Wood* thought, that 200*l.* a-year for the services of a clerk, would be all that could be deemed necessary for the purpose; and even if it amounted to more, or nearly to the sum his hon. friend supposed, which was a most extravagant estimate, still it would be very little among so many persons.

Mr. *Warburton* said, that when the metropolitan districts petitioned to be relieved from the expense of sending Members, it would be time enough to consider the hon. Gentleman's suggestion.

Colonel *Sibthorp* considered that the expense which might be required, would, in all likelihood, be very uncertain in its amount.

Lord *Althorp* said, that the Government thought it much better to have these duties performed by the Overseers at the cost of the parishes, than by persons appointed and paid by the State; because it was satisfied there would then be a strict attention to the expenditure, and that the parishes would keep an effectual control over their own officers.

Sir *Edward Sugden* begged to know, whether, in cases where landlords were now bound to pay the rates, they were also to be called upon to pay this additional expense?

Mr. *Hunt* complained of the power with which the Bill would invest parochial Overseers, and, in consequence, they should be restricted from interfering in elections, or they might contrive to exercise a very great influence over them.

Mr. *Wilks* suggested, that the Churchwardens ought to be added to the Overseers, in all cases where they did not happen to be so by virtue of their office.

Mr. *Hunt* said, if Churchwardens were included, there must be an alteration of the present law, as they had no power but to make Poor and Church rates.

Sir *Charles Wetherell* said, whoever was to make the lists, ought not to interfere with the elections, and, as it must be presumed, the parochial authorities might have a particular bias, the power of preparing the lists should be vested in other persons. He had not attempted to amend many of the clauses in the Bill, but he should wish to see this altered, for the persons to whom the authority was to be given, might play all sorts of political tricks.

That part of the clause was then agreed to, and the Chairman went on reading until he came to the words "and shall cause a sufficient number of copies of such lists to be printed, at the expense of their respective parishes or townships."

Mr. *Estcourt* begged to ask the noble Lord, whether this expense was to be paid by all the parish, for those rated under 10*l.* were to lose their votes by this Bill? As the Barristers who were to decide upon county rates, were to be paid by the public, and it was understood that borough functionaries were also to be paid in a similar manner, he thought that these lists should not be a burthen on the parishes. He should, therefore, recommend that the Sheriff for each county should pay all the expenses under the direction of the Treasury.

Lord *Althorp* said, the expenses for the counties could be controlled by the Treasury; in parishes that would be impossible; and, therefore, the best way was, to let the respective parishes manage their own business themselves.

Question agreed to.

The *Chairman* then said, after the words "churches and chapels," it was proposed to insert the words "and if there be no Church or Chapel, then in some public or conspicuous place."

Mr. *Hunt* said, such lists ought to be put up on Sundays, as game certificates, and other Acts of Parliament were, or people would not see them.

Lord *Althorp* said, the reason why this provision was not made was, that some persons apprehended disturbances in the church-yards in consequence.

Sir *Charles Wetherell* said, he did not apprehend the noble Lord was going to mix up saintship with Parliamentary Reform. In many rural parishes and boroughs, people had five or six miles to go to church; it was not likely they would go that distance on any other day than the Sabbath. He himself was in that situation.

The addition proposed was adopted, and the clause, as amended, was then put and agreed to.

The Chairman then put the question, "That clause 34th should stand part of the Bill." The clause related to town clerks being obliged to furnish the lists of the freemen to the Overseers.

The clause, with verbal amendments, agreed to.

The Chairman then said, it was proposed that all the words in the 35th clause, after the words "be it enacted that," should be omitted, for the purpose of enacting "a provision for extra-parochial places," &c. Amendment agreed to, and the clause ordered to stand part of the Bill.

Lord *Althorp* said, they had now come to clauses 36th, and 37th, to which, he hoped, there would be no objection. In the 36th clause it was proposed, that all the words after the words "be it enacted that," should be omitted, for the purpose of inserting the words, "That persons omitted in the borough lists, should give notice of their claims to Overseers. That lists of claimants should be kept for inspection."

Mr. *Wilks* proposed to add these words as an Amendment—"And shall deliver copies of each of the said notices to any person requiring the same, on payment of a fee of 1*s.* each copy."—Agreed to; and the clause, as amended, ordered to stand part of the Bill.

In the 37th clause it was proposed, that all the words after "be it enacted that," should be omitted, to substitute the following:—"That the Judges should name the Barrister to revise the lists of borough voters, and, upon due proof, insert and expunge names, and rectify mistakes."

The clause agreed to.

The blanks in the 38th clause were filled up with the words "first" October, and "first" November, and the whole clause, as amended, ordered to stand part of the Bill.

The Chairman read clause 39th, which takes from parties the right of being attended by Counsel at the Barrister's Court.

Sir *Charles Wetherell* opposed that part of the clause, as interfering with the right of the voter.

Mr. *Wilks* observed, that oaths were fairly administered to the parties, and justice might be done without the assistance of an Advocate.—Clause agreed to.

The Chairman commenced reading the 40th clause, on coming to the words "And shall deliver the said Book to the Sheriff of the county, or his deputy, on or before the 1st day of October, in the present year,"

Colonel *Wood* referred to an Act of Parliament (the 28th of George 3rd), passed in 1788, which had only that evening suggested itself to his notice. Its details were somewhat similar to the present plan, the object being the establishment of a system of registration of freeholders by the clergymen in different parishes. That Act was repealed the next Session, in consequence of the great expense and difficulty which occurred in making out registers. If the registration clauses of this Bill were passed, he was convinced they would be found so inconvenient, that they would, in like manner, be repealed. It would be absolutely impossible for the Clerk of the Peace, within any given time, to discriminate and arrange the different lists. They must be compared, to see that the same name or person did not appear in more parishes than one. It was thought, that, if residence was affixed, that would obviate the difficulty, but he had the benefit of experience in knowing this was also fallacious, from circumstances which had occurred relating to contested elections in the county he had the honour to represent.

Lord *Althorp* said, that the Act referred to, of which he was fully aware, had been introduced by the late Lord Stanhope. Its object was, that voters should register themselves; but it was found that it was useless to intrust this to the freeholders as a voluntary act, and the law was, therefore, repealed. That circumstance had decided the Ministers to resort to a compulsory registration.

On the question being put, that the clause, as amended, stand part of the Bill,

Mr. *Wilks* could not see why the noble Lord had left out of the clause words allowing lists to be given applicants on payment of a reasonable sum. He thought the machinery of the Bill could not work well without those words, and he should, probably, consider it necessary to introduce an amendment, in some future clause, to that effect.

Lord *Althorp* thought, as there was a general understanding that claimants had a right to a copy of the list on payment of 1*s*., there was no necessity to introduce precise words to that effect, but if there was such a necessity, that provision would be the subject of a subsequent clause.

Clause, as amended, agreed to, and ordered to stand part of the Bill.

On clause 41st being put,

Sir *Edward Sugden* considered the right given by this clause to put questions to voters not clearly defined ; it was wholly impossible to understand the clause as it stood.

Lord *Althorp* said, the clause had been amended at the suggestion of hon. Members, and he thought its meaning and bearing were perfectly plain.

Sir *Charles Wetherell* complained of the series of privations to which the voter was subject under the clauses of the Bill. No scrutiny was allowed; consequently, the party had no opportunity of proving whether his vote had been improperly rejected. The Overseer was, in fact, to make such a list as he pleased, which the Barrister was to alter and amend at his discretion, and when the elector came up to poll, he had no remedy whatever if his vote was rejected. The whole system of registration was bad, and a check upon the exercise of the elective franchise.

Lord *Althorp* said, of all the objections to various parts of the Bill, he thought the arguments used against registration, were the weakest. If their machinery would answer the purpose for which it was intended, and of which he had little doubt, a scrutiny would be wholly unnecessary ; the great object was, to prevent expense and delay. The objection of the hon. and learned Gentleman was against Parliamentary Reform rather than the provisions of the registry clauses.

Sir *Charles Wetherell* thought the noble Lord had put a wrong construction on his objections, which were unconnected with Parliamentary Reform, and applied wholly to the scheme of registration. By the proposed plan, the elector would have no opportunity of obtaining justice in any of the preliminary stages. The clause actually destroyed all the advantages the elector at present enjoyed.

The clause was then agreed to.

The Chairman read the 42nd clause, allowing the accuracy of registrars to be questioned before a Committee of the House of Commons.

Sir *Charles Wetherell* had one strong objection to the clause. He apprehended it was intended, that persons should have the same privilege to which they were now entitled, to appeal to that House on a question of an undue return. Now, the words of "whose names shall be improperly inserted, exchanged, or omitted," were so vague, as to render their bearing somewhat doubtful. The clause ought to provide expressly, that every person should retain the same rights of complaint as he now enjoyed

Mr. Serjeant *Wilde* defended the clause, and contended, that the powers of a Committee were clearly pointed out for the purposes of the Bill. The House, in case of complaint, would have chiefly to ascertain whether or not the returning officer had done his duty.

Mr. *Charles Ross* said, unless an elector's name was upon the register, he could not even declare for which candidate he proposed to vote. It would be impossible for the House to put his name upon the poll, because no knowledge could be had for whom he would have voted, from his right having been denied. The clause was, necessarily, imperfect.

Sir *Edward Sugden* concurred with the hon. Gentleman, that the returning officers would necessarily be guided by the lists, and, unless a man's name appeared, his vote would be at once rejected, without any question of its legality. This was a point which required amendment.

Mr. Serjeant *Wilde* said, the clause would simplify the whole duty of the returning officer, instead of the numerous questions and oaths now required. They would have to ask the party claiming to vote, first, as to his identity with the name in the register; second, whether his qualification was in existence at the time of voting; and third, whether he had previously polled : all the returning officer would have to do was, to see this regularly attended to.

The clause, as amended, ordered to stand part of the Bill.

Clause 43rd, providing that the Sheriffs of divided counties should preside at elections by themselves or deputies, and should fix the time, agreed to.

On clause 44th, providing for the commencement and continuance of polls at county elections, being read,

Mr. *Houldsworth* said, that he did not think that two days would be sufficient time for polling all the voters that would exist under this Bill in large counties, and divisions of counties.

Lord *Althorp* replied, that the number of booths which would be provided at all county elections, would afford an ample opportunity of polling all the voters in that period.

Mr. *Strickland* concurred with the hon. Gentleman. He conceived, that in the West Riding of Yorkshire two days would not afford sufficient time for polling one-half of the votes that would exist under this Bill.

Mr. *Robert Grant* said, he was also of opinion, that the poll could not be completed in two days when the voters were numerous: 3,000 or 4,000 might be polled in that time, but in many places they would far exceed that number, and if it was wished that the sense of the country should be obtained through the voice of the great majority of voters, a longer time than two days must be allowed.

Sir *Edward Sugden* said, that allowing it to be possible that the whole number of voters could be polled in two days, still it might be in the power of a candidate, who had a small majority, to obstruct his opponent's electors until after the time was elapsed, and thereby secure his own election.

Sir *Charles Wetherell* begged to ask the noble Lord, if a contest should suddenly arise soon after the passing of this Bill, would he not think it would be somewhat difficult to get the electors to the poll in two days in a large county. It might be done, perhaps, in Norfolk or in Stafford, but how it could be accomplished in the West Riding of York, was to him a mystery; and as one of the hon. Members for that county seemed to anticipate there would be such a difficulty, he should recommend him to move an Amendment for a longer time, and he would support him. Two days would, no doubt, be ample time to take the poll for the borough he had the honour to represent, but the same period, it was evident, could not be applicable to all places.

Lord *Althorp* said, that there would be fifteen places in the West Riding of Yorkshire for taking the poll. At each of those fifteen places as many booths for receiving the votes of those who came to poll as might be thought necessary would be opened. Thus the polling would go on fifteen times quicker there than at present, and the unlimited number of booths which might be opened, combined with the facility afforded by the register, would enable all the voters, even in that large district, to record their votes in the space of two days. Allowing there were 30,000 voters, this would only be 2,000 for each polling place, and that number could easily be polled. They knew, from the case of Norwich, that it was possible, even with a large constituency, to close the poll in two days; and if arrangements for the same purpose could be as easily made elsewhere, the House should pass the clause in its present shape, in order to compel the parties interested to make them.

Mr. *Ewart* begged to confirm the statement of the noble Lord by another example. At the last Liverpool election the poll was concluded in ten hours, by the adoption of a system acted upon by consent between the candidates. Another advantage in quick polling was, that the candidates were sooner able to perceive what was likely to be the result, and the unsuccessful party was thereby the more speedily induced to resign.

Mr. *George Robinson* thought, that the poll might be taken in two days, but he was of opinion that the single intervening day which this clause allowed, between the first day of the election and that on which the polling was to commence, would not afford sufficient time, where a contest suddenly arose, to give notice throughout a county, and to prepare the machinery rendered necessary by this Bill in a county election.

Colonel *Sibthorp* was of opinion, that Ministers ought to stand still and re-consider a clause, the effect of which would be to prevent very many persons from voting. They would as soon get all the electors of a large county to poll in two days, as they would pass the Bill they were at present talking about through a Committee in that time.

Mr. *Wilks* said, there were many non-resident freeholders who, if the time were not extended, would be prevented from voting. This would be peculiarly the case in Yorkshire, and other extensive counties. He should, therefore, recommend that the time between the day of nomination and the commencement of polling should be extended.

Sir *Edward Sugden* said, it appeared to him that two days was too short a time for a large county to be polled, but he thought it would be inconvenient to postpone the election after the appointed day. Allowing all the noble Lord had said about the number of places for the poll, and the number of booths, the candidates must have some person to represent them at each place; there must be attorneys and check-clerks; and do what they would, some examination of voters would be necessary. What was to prevent the agents questioning the party wishing to poll, whether he was still in possession, and it might turn out that he had parted with the property since the day of registration. He held it to be impossible that this clause could work well, or answer the purpose for which it was intended.

Lord *Althorp* must repeat, that in ordinary cases there would be no difficulty in completing the poll within the time limited. The distances of the polling places from each other would be much diminished by the division of counties. He allowed there was some foundation for the remark of the hon. and learned Gentleman, that a question might arise as to whether the voter was still in possession.

Mr. *Houldsworth* said, of course the noble Lord, who had much experience in contested county elections, knew the time it took to poll an individual where there were no questions to be asked. If they allowed five minutes for each, which was a short time, no more than 100 could be polled at one place during the day. He feared the limited period would lead to such frauds in conducting elections as would more than counterbalance the good to be expected from it.

Mr. *Hunt* said, he knew many voters could be polled in a short time where they lived close together: 2,000 had been polled at Preston in one day for himself and his hon. opponent, but he was of opinion that at least three days should be allowed for the elections in counties, considering the distance voters would have to come. If this alteration were not made, he could only look on this as a "neck-and-neck, or neck-or-nothing" clause.

Mr. *Wrangham* was of opinion, that if this clause were carried in its present shape, gentlemen would be unable, in case of a contested election, to avail themselves of the out-voters, and he requested to know the noble Lord's opinion respecting the proposal that had been made for lengthening the time between the day of nomination and the day of polling.

Lord *Althorp* said, there would be an inconvenience in any case as to the proposition of extending the time between the day of nomination and the day of election; it would lead to a greater increase of expense than allowing a third day for the voting.

Mr. *Strickland* said, the limitation of time was one of the most valuable parts of the Bill generally, but that, at some future time, an alteration must be made to meet some of the objections to this clause, in large districts where there were so many voters. As to the expense he would say one word. It would be necessary in Yorkshire, where there were 30,000 electors, to have thirty booths; the expense of erecting which, and of employing clerks, would be about 70*l.* for each, making a total of 2,100*l.* This was certainly too much.

Mr. *Keith Douglas* was convinced that in Manchester, the Tower Hamlets, and other populous places, it would be impossible to poll the voters in two days. In the latter place there would be 40,000 electors to poll there in two days; they must have, by the estimate already made, sixty-six booths; this must lead to great confusion and enormous expense.

Sir *Charles Wetherell* said, it was one of the absurdities of the measure, that it pretended to extend the franchise with one hand, and limited the time of taking the poll with the other, so that half those to whom the franchise was given could not vote. But suppose some candidate should start up at the day of election, where no opposition was calculated upon in a large district, could there be time or opportunities for taking the poll? He should most certainly bring the matter again before the House at a future occasion.

The clause agreed to, and the House resumed.

Sugar Refining Act.] Mr. Poulett Thomson moved, that the Sugar Refining Bill be committed on Wednesday next.

Mr. *Robert Gordon* observed, that there was no chance of obtaining a fair discussion on the Bill on Wednesday, and it was a measure which very much affected great and extensive interests, and which the commercial world was watching with attention. He trusted, therefore, that the noble Lord would consent to postpone the Committee on the Bill, for a more wicked measure he could hardly conceive. He knew that the language of Ministers was, that the doom of the West-Indians was fixed; but of all bills that ever were brought forward, this had the least of reason to support it.

Mr. *George Robinson* contended, that the House was so exhausted by its attention to the Reform Bill, that it was utterly incapable of properly discussing the important questions brought before it; and he deprecated the practice of Ministers, in putting such measures down on the Order-book, day after day, when they knew that they could not be settled. Many Members supported Ministers upon such bills as the present, though they disapproved of them; but their motive was an apprehension that they should otherwise injure the cause of Reform.

Lord *Althorp* said, the Bill was merely the renewal of an Act which had passed through the House a number of years successively without opposition.

Mr. *Keith Douglas* said, it had been admitted by the late Government that the Act ought not to be renewed as a matter of course. He was aware that this and many other important questions had been postponed on account of the Reform Bill, but the subject of complaint was, that such measures ought not to have been introduced under such circumstances. It would be better that the Bill should be wholly withdrawn until the Reform Bill was disposed of.

Mr. *Poulett Thomson* said, the present Government was most desirous that the colonies should have every indulgence possible shewn them, consistent with justice and impartiality, and he had no doubt that an opportunity would, in a few days, be offered when the whole subject could be fully discussed.

Mr. *Robert Gordon* wished the hon. Gentleman, the Vice-President of the Board of Trade, would consent to postpone the Committee on the Bill until this day three weeks.

Mr. *Poulett Thomson* said, he could not agree to his hon. friend's proposal.

Mr. *Robert Gordon* said, he and the great body of the West-India proprietors were most anxious to improve the condition of the slaves, but they were thwarted by the measures of Ministers. He had no wish to trouble them more than necessary, but he should propose as an Amendment, that the 16th of September should be substituted for the time named in the original motion.

Mr. *George Robinson* hoped the noble Lord would keep them in suspense as short a time as possible.

Lord *Althorp* proposed it should come on on Tuesday next.

Ordered accordingly.

HOUSE OF LORDS,

Tuesday, September 6, 1831.

MINUTES.] The Royal Assent was given by Commission to the Duchess of Kent's Annuity Bill; the Candle Duties' Repeal Bill; the Assessed and Land Taxes Receipt Bill, and some private Bills. Commissioners, the LORD CHANCELLOR, the Duke of RICHMOND, and the Earl of SHAFTESBURY.

SALE OF BEER ACT.] The Bishop of London presented Petitions, praying for an Amendment in the Beer-Act, from the Magistrates and Clergy of Manchester and Salford, two from the Magistrates and Clergy of certain districts of Gloucester, and one from the inhabitants of Islington. Some of these Petitions stated that nothing less would do than to put these Beer-houses under the control of the Magistrates, both as to license and good conduct, in the same manner as other public-houses.

The Bishop of *Bath and Wells* presented a Petition from part of his Diocese, to the same effect. The petitioners stated the demoralizing effects which had resulted from the Beer Act, of which he had no doubt their Lordships were fully aware, from the readiness with which those noble and learned Lords who were members of his Majesty's Government had listened to the suggestions that had been made to them on the subject. He therefore, hoped that one especial amendment would be made in the Bill, which was, that these beer-houses should be placed more under the control of the Magistracy. The calumnies that had been thrown out against the clergy for their interference in regard to this Act were unworthy of an answer. It was their duty narrowly to watch the effect of the measure, and to get the proper amendments introduced.

The Petitions to lie on the Table.

Viscount *Melbourne* proposed that the receiving of the report of the beer bill should be postponed for the present, and in the meantime he would take leave to throw out certain suggestions for the consideration of their Lordships. It had been proposed that these houses should be closed at certain specified hours; but it ought to be considered, that town and country were in a different situation in this respect, and that an hour which would be too early in town would be too late in the country. In order the better to enable their Lordships to understand this matter, he would state how the law had of late stood as to the ordinary public-houses, licensed by the Magistrates. Before the passing of the Act 3rd George 4th, cap. 77, the shutting up the houses at stated hours was left to the discretion of the Magistrates, who took upon themselves to decide at what hours public-houses should be shut in their several districts, under the provisions as to disorderly houses. The Act 3rd George 4th appeared to be founded rather on a suspicion of the Magistrates, and to limit rather than extend their discretionary power. It was there stated as a duty on the Magistrates, to take care that public-houses should not be kept open at a late hour in the night, or early in the morning, except for the reception of travellers. So the law stood from 1822 till the Act of 1828, which gave the Magistrates a discretionary power to interfere with such publicans as kept disorderly houses, and said nothing as to hours. Some Magistrates, therefore, thought that they had no right to interfere as to the hours at which a house was kept open, being of opinion that, under this Act, these houses might be kept open at all hours. Other Magistrates thought that they had still a right to interfere under the clause relating to disorderly houses, being of opinion that a house kept open at improper hours was to be considered a disorderly house. But in the new law nothing was said about hours, but only applied to persons wilfully keeping disorderly houses. Now he suggested to their Lordships whether it would not be better to revert in this respect to the Act of 3rd George 4th, cap. 77, and leave it to the Magistrates at their discretion to settle the hours at which public houses and beer-houses should be shut, of which hours the Magistrates might be bound to give due notice. This he threw out merely as a suggestion.

The Duke of *Wellington* had no objection to the Magistrates deciding on the hours, but at the same time he thought that as to public-houses, they had the power, and ought to exercise it, of inserting in the license an obligation on the person to whom it was granted, to comply with the directions of the Magistrates. But there was this difference between the public-houses and the beer-houses that it was requisite that the public-houses should be licensed by the Magistrates, while the beer-houses were licensed by the Excise, and the Magistrates had not the same control over them.

The Earl of *Harrowby* doubted whether the noble Secretary's proposed Amendment would answer his own object, for different opinions as to their power to interfere in the particular of hours might still prevail amongst Magistrates. If, therefore, the noble Secretary reverted to the provisions of the old law, it would be necessary to introduce an amendment; and if the hours were left to be settled by the Magistrates, an ultimate hour ought to be fixed by the Act. Then, as to Sundays, as the law at present stood, public-houses were to be shut between the hours of ten and one o'clock, and between the hours of three and five. By the former law they were directed to be shut during the time of morning and afternoon service. That appeared to be better than naming the hours, for the time of service might be different in different places; and then, under these words, it might be imperative on the keepers of public-houses to shut their houses between six and eight o'clock in places where evening service was performed in that interval.

The Marquis of *Salisbury* thought the Magistrates had always the power to interfere as to hours under the words respecting disorderly houses. But if a doubt existed it ought to be removed. But there could be no fixed rule as to all houses, more especially as to the hours of Divine Service; and it would be better to leave the matter to be settled by the Magistrates. He would ask the noble Lord, whether the taking of sureties should not be placed in the hands of the Magistrates with respect to persons keeping these beer-houses, as with respect to those keeping public-houses.

Viscount *Melbourne* would consider that point.

Lord *Suffield* thought, that care ought to be taken that gambling for money should not be allowed to prevail in these houses. The people ought to be made to understand, that gambling for money was unlawful; but he would not wish that it should be stated in the Bill what particular games were unlawful. It would be much better to leave that to the discretion of the Magistrates. He was surprised to hear that a charge of hypocrisy had been preferred against those who had contended that gambling ought to be prevented among the lower orders, merely on the ground that this practice prevailed among a portion of the higher ranks. There was nothing that so much depraved the heart and morals as this vice. The bad effects of it was seen even in high life, among those who were addicted to it, and the effects were much worse among the lower orders, who were more liable to be driven to theft and depredation. Among the higher orders the gambling was carried on in private houses, and because these could not be got at, that was no reason why the poor should be permitted to gamble at public-houses. They might carry it on in private houses as well as the rich; but he certainly thought, that gaming ought to be put down in these public-houses and beer-houses.

The Bishop of *Bath and Wells* observed, that some Magistrates certainly did think that they had no power, under the present law, to interfere with public-houses as to the hours at which they should be shut, and therefore it would be a most salutary provision to introduce into the Act a clause which should define the powers of the magistracy with reference to these houses.

Lord *Tenterden* said, if there were any doubts as to the powers of the Magistrates in that respect, the doubts ought certainly to be removed, but after conferring the power on them to shut up these houses at particular hours, the matter ought to be left to the discretion of the Magistrates. He had no objection to apply the same rules to the public-houses and the beer-houses; but there was this difference between them, that the licenses for the public-houses were subject to the control of the Magistrates, while the licenses to the beer-houses were not.

Lord *Teynham* begged to suggest, that the hours of shutting should be so regulated that the poor man might get his beer when his work was done.

Viscount *Melbourne* said, the beer-shops ought to be put on the same footing, he presumed, as gin-shops or public-houses.

The motion for postponing the receiving of the Report agreed to.

PETITION OF THE GRAND JURORS OF MIDDLESEX RELATIVE TO CAPITAL PUNISHMENT.] The Duke of *Sussex* rose, pursuant to notice, to present to the House a Petition on one of the most important subjects that could come under their Lordships' consideration; and were it not that he was aware that he should be assisted by several of their Lordships as well as by the Government, and particularly by his noble and learned friend on the Woolsack, who had presented a petition to much the same effect to the House of Commons in the course of the last year, he should almost sink under a sense of his own inadequacy to do justice to the cause of the petitioners. The petitioners prayed, that their Lordships would take under their consideration the present state of the Criminal Law of this country, with a view to its revision and amendment; and to disconnect the punishment of death from crimes affecting merely the rights of property, but unaccompanied with violence and bloodshed. The petition was signed by no less than 1,100 individuals, who were all liable to serve as Grand Jurors for the county of Middlesex, and seven of whom had actually served as foremen in that capacity. Many of these were merchants and people of large property and of ninety-one of them the property amounted to no less than 20,000,000*l.* sterling; so that their Lordships might be assured that they were people of respectability and consequence. The petitioners stated, that their own private feelings of humanity had at various times caused a struggle within themselves, lest, by finding persons guilty, they should be accessory to a judicial murder; and that this feeling sometimes induced Jurors and others to give what was vulgarly called a slip to the law, and that criminals, from this cause often escaped the hands of justice. He had heard that many of the petitioners had suffered severely from the crime of forgery, and yet had felt themselves compelled to refrain from prosecuting, because they would not be accessory to inflicting the punishment of death; and they had not only refrained from prosecuting, but had actually themselves assisted the criminals to escape the vigilance of the law, and to leave the country. It was not his intention at present to enter upon a long detail of particulars. He meant only to propose that the petition should be read, and that it should remain on their Lordships' Table; and, having done so, he would leave the subject in their Lordships' hands, trusting with confidence that their Lordships would pay a due regard to the prayer of the petition, and take this most important subject into their most serious consideration. He had likewise great confidence that the subject would be taken up by the present Government, for it was most fitting that it should be taken up by those, by whom a proper and efficient measure would be most likely to be prepared and passed. He had great confidence in his noble and learned friend on the Woolsack, who had himself presented a similar petition to the Commons; and he had also great confidence in his noble friend at the head of the Administration, and in the other noble Lords who composed the Government, and fully trusted that they would pay proper attention to the subject. He was anxious that the matter should be taken up by Government, rather than by any private individual, as the Government was the most likely to act with the proper prudence and caution, as well as the best effect. He was not prepared to say, that the punishment of death ought to be entirely done away; but yet, when he saw the state of our own law on the subject, and that, as Sir W. Blackstone had stated, there were 160 crimes punishable by death, without the benefit of clergy, he could not help being astounded, and was convinced that such a system ought to be altered. In some cases the punishment of death might be necessary, but at the same time he could not help concluding, that the certainty of punishment would be much more efficient than its severity; and that in many cases other punishments, such as imprisonment, might be substituted with advantage for that of death, and then some means might be adopted for the reformation of the criminal. If this could be done with advantage, then it must be wise and prudent that it should be done; and now, when we professed to act on the principles of civil and religious liberty, it was high time that something should be done in that matter. He would only further add, that this was a most powerful petition, and remarkably well calculated to draw attention to the subject. It was signed, as he had stated, by 1,100 persons only, and the reason why it was not more numerously signed was, that the signatures of none were admitted except of those who were liable to serve on Grand Juries. Had it not been for that circumstance, it would have been signed by many thousands more, and particularly by the people called Quakers, none of whom had signed this petition, but who were ready to a man to come forward in support of its principles. This was not the time to enter into the merits of the subject; he would therefore leave the petition in the hands of their Lordships, trusting that his noble friend at the head of the Administration, and the rest of the members of the Government, would take the subject into their consideration. When the proper time came, he would state more at large his opinion on the subject, and support, with all his power, any proper measure that Government might think fit to propose, with a view to carry into effect the object of the petitioners. This was not a novel subject to him, for he had frequently and deeply considered it, although, not having before had any petition of this kind intrusted to him, he had not troubled their Lordships with a statement of his opinions. He, however, felt a great pride in the confidence that had been reposed in him by the present petitioners, although he should refrain from saying anything further on the subject at present, lest he should overcharge it. He would, however, read to their Lordships a comparative statement of the number of persons committed for capital offences of late years in this country, as compared with those committed for capital offences in France. In 1825, 1,036 were committed in this country for capital offences; and in France 134. In 1826, in this country, 1,203 were so committed; in France 150. In 1827, there were so committed in this country, 1,529; in France 109. In 1828, there were so committed in this country, 1,165; in France 114; and in 1829, there were so committed in this country, 1,385; in France 89. He would proceed to read the petition. His Royal Highness read it accordingly as follows:

"To the Right Honourable the Lords Spiritual and Temporal of the United Kingdom of Great Britain and Ireland, in Parliament assembled—

"The Petition of the undersigned Inhabitant Householders of the City of London, liable to serve as Jurors—

"Humbly Showeth—That your Petitioners

view with deep regret the excessive and indiscriminate severity of the Criminal Laws, which annex to offences of different degrees of moral guilt the punishment of Death, and confound the simple invasion of the rights of property with the most malignant and atrocious crimes against the person and life of man.

"That the recent Acts, passed with the professed intention to amend and improve the Criminal Laws, have not remedied the evil of which an enlightened community have the greatest reason to complain, but have still left those laws a disgrace to our civilization, by retaining the opprobrious distinction of being the most sanguinary of any in Europe.

"That Christianity, common reason, and sound policy, demand that the laws which affect the liberties and the lives of men, should proportion the punishment to the offence, and not teach cruelty to the people, by examples of vindictive legislation.

"That where public opinion does not go along with the laws, the persons who suffer under them are regarded as the victims of legislative tyranny or judicial caprice, and not as criminals, whose doom has been pronounced by the voice of dispassionate justice.

"That the criminals executed in this country are selected out of a far greater number sentenced to death, and where the practice condemns the law, the law ought to be altered, that criminals might suffer the punishment of their guilt by the authority of defined Statutes, and not by the uncertain and capricious rule of judicial discretion.

"That in the present state of the law, Juries feel extremely reluctant to convict, when the penal consequences of the offence excite a conscientious horror on their minds, lest the rigorous performance of their duty as Jurors should make them accessory to judicial murder. Hence, in Courts of Justice, a most unnecessary and painful struggle is occasioned by the conflict of the feelings of a just humanity, with the sense of the obligation of an oath.

"That witnesses also are very frequently reluctant to give evidence, as well as Jurors to convict, lest they might bring upon their consciences the stain of blood; and thus criminals who, under a more rational and considerate Code of Laws, would meet the punishment due to their crimes, escape with complete impunity.

"That for these reasons, your Petitioners humbly pray your Right Honourable House to take the Criminal Laws into your consideration, for the purpose of the revision and amendment of the same, by drawing a distinction between the simple invasion of the rights of property, and crimes of violence and blood, and by abolishing the penalty of Death in all cases in which the Legislative power cannot justify, in the eyes of God and man, that last and dreadful alternative—the extermination of the offender.

"And your Petitioners will ever pray, &c.

"[Signed by the different Foremen respectively of seven successive Old Bailey Grand Juries of 1830, and by upwards of eleven hundred Merchants, Traders, &c., who either have served, or are eligible to serve, as Jurors.]"

The *Lord Chancellor* said, the subject was certainly of very great importance, and well worthy of the most profound consideration; but none of their Lordships were called upon to express any opinion on the matter referred to in the petition at present; and he should have hardly obtruded himself on their Lordships' attention, had it not been that he had been particularly and personally alluded to by his Royal Highness. No one was at present, however, called on to give an opinion on this, certainly not simple, but, on the contrary, very complicated and intricate question. That it was one which deserved the utmost degree of attention was undeniable. There was one thing mentioned in the petition, however, which had better, perhaps, have been mentioned in the other House, or anywhere else than in their Lordships' House, which was the highest Court of Appeal, not only in civil, but in criminal causes. After long consideration and practical experience, he had certainly been led to conclude that our Penal Laws were capable of much amendment in respect of the severity of punishments. But when the petitioners called for the abolition of the punishment of death, in regard to all crimes against property, if unattended with murder or personal violence, he felt himself called upon to declare, that he was not prepared to draw the line exactly in that manner; for nothing, in his opinion, could be less judicious than thus to class crimes which might be of a very different character, under the same denomination. Why was it that it was held right to put a murderer to death? Not, certainly, because it had been said in Scripture, "Whoso sheddeth a man's blood, by man shall his blood be shed." They had no right to put even a murderer to death for any other reason than that it was expedient that he should be put to death. They had no other right nor warrant, either in reason or religion. The object was, to prevent others from committing the crime of murder; and as the comfortable existence of society depended on the repression of that highest crime, it was expedient to secure its repression by attaching to its commission the highest penalty. When a murder was committed, or any very great evil had happened, they had no right to inflict another great evil on the community by putting the offender to death, except that it was necessary that the second evil should be inflicted, because the good of society required that all means, even the severest, should be used in order to check the crime of murder. It was right, because no man could be safe unless the gravest offences were checked by the gravest penalties. But there were other offences which, although not of such great and direct injury to society as murder, yet had a very strong tendency to the devastation and subversion of society; and he was not prepared to say, that in all cases of that description, even although not attended with violence and bloodshed, the highest punishment ought to be dispensed with. They ought not to judge of these things simply upon the ground of vague feelings of humanity; for, in spite of all such feelings, if there was no other mode of preventing crimes which, although not attended with immediate personal violence, yet were of a description to lead to the subversion of society, then recourse must be had to the severest punishment. He wished, therefore, to guard himself from being understood that murder was the only crime for which death ought to be inflicted. There was no warrant in Scripture for the notion that murder was the only crime for which the punishment of death ought to be inflicted, and he asked the noble Lord, who seemed to intimate that murder was, by Scripture, the only crime to which the punishment of death should be inflicted, to point out the place where it was prohibited in cases of other crimes. It was, indeed, said, "That whoso sheddeth man's blood, by man shall his blood be shed;" but that was an injunction, and not a prohibition; and if the noble Lord would examine the Levitical law, he would find that ninety-nine crimes out of a hundred were made punishable by death. So, in cases of arson, and of robbery with great violence, almost all men admitted, that the punishment of death ought to be inflicted. He, therefore, was not prepared to draw the line so distinctly as it had been drawn by the petitioners, and he had guarded himself by a similar declaration when he presented a petition, to a certain extent similar to the present, in the other House. But the petitioners had stated facts which were of great importance. They stated that some of them had served as Foremen of Grand Juries, and that all of them were liable to serve as Grand Jurymen—that many of them were men of great property, and were engaged in commercial pursuits, which, in a particular manner, exposed them to severe losses from frauds, and especially from forgery, which was obviously the crime to which the petitioners more particularly alluded, and of which they were principally the victims. It was certainly a most important fact, that these persons came forward and told their Lordships that they could find no security against that crime in capital punishment. They said, that they were extremely reluctant to prosecute, but if they did not prosecute, that, to be sure, was their own fault. But then they said, that witnesses could not be brought to give evidence, and that Jurors could not be brought to convict; and then they might put their case simply on the ground, that practically the present state of the law had been tried, and had failed of its effect. That was the most important part of the petition, although he was far from undervaluing their feelings of humanity, and had no doubt but that they were excellent men. But there was one part of their petition which, in his opinion, could not be sanctioned by their Lordships. He, at least, could not understand how honourable men, serving on Juries, could trifle with their oaths. The oath administered to the Jury in criminal cases was, "You shall well and truly try, and a true deliverance make, between our Sovereign Lord the King and the prisoner at the bar, and a true verdict give, according to the evidence. So help you God." And yet they appeared disposed suddenly to forget their character of Jurors, and to erect themselves into legislators. In this character of lawgivers, they not only made a new law for themselves, but appeared to think that, in the face of their oath, they might be justified in giving a verdict against the evidence. How any honourable man could reconcile this to his conscience, he could not conceive. The Jury had no more to do than say, whether, in point of fact, the crime had been committed; and it was for the Judge to award the punishment: and he could award only that which the law had prescribed. He could not comprehend how it was possible for them to reconcile it to their consciences to pronounce a man not guilty, when the weight of evidence preponderated against him. As a lawyer, as a Judge, and as a legislator, he could see no grounds on which any man could reconcile to his conscience such a course of conduct. If it was a crime to inflict the punishment of death in such cases, the crime was not that of the Jurors, but of the Legislature; and until the law was altered, the former were bound to act by it. It was impossible to conceive the extent of the evils, to which such an improper assumption of power must lead; one Juryman might say, he would not take the question of law from the Judge, but would decide both upon the law and upon the fact; another might say, he would not only decide upon the guilt of the prisoner, but would determine the quantum of punishment—a point which rested with the Judge alone. Again, another Juror might deem it proper to admit hearsay evidence, and many books had been written to prove, that such evidence ought to be received. And supposing such a doctrine to be entertained, what would be the consequence? Why, the Judge having determined that such admission was contrary to the law, the Juryman would say, "I do not think so, and therefore I am determined to convict the prisoner." In that position, according to his judgment, were the petitioners placed; for though an offence should be proved by ten or any other number of witnesses against a prisoner, and though that offence might subject the individual to the last and extreme penalty of the law, these Jurors were prepared to say, and not only to say, but to act upon, and defend the position—they who, in their capacity of Jurymen, had entered into a solemn compact with their King, their country, and their God, to decide upon the evidence, and the evidence alone — these Jurors would say, that they would not convict the prisoner, whose guilt had been proved:—and why? Because they were afraid, that if they did find him guilty, he might receive the punishment which the law has awarded as a proper atonement for his offence. If there were any course likely to prevent the Legislature from interfering, it would be this, where individuals take the matter into their own hands, and out of those of the Judges, and of the Legislature. If the law be defective, as to a certain extent it was, and if it be necessary that it should be amended, as it ought to be, the only manner in which that law ought to be altered and amended, was by the interference of the King, Lords, and Commons of England; and until that period arrived, those individuals had no right to contravene the law, but in obedience to their oath they were to find the person guilty or not guilty, according to the evidence, and the prisoner thereupon must suffer the consequences of his act under the law. Another person might take a different ground of objection, and say, as a suitor in the Court of Chancery did the other day, who came into that Court for advice about putting in his answer—that he was not enabled by his conscience to take the necessary oath required by law:—At length he asked if he were bound to take the oath? Yes, was the answer, and he was told, that if any guilt was occasioned by the taking of the oath, that must rest upon the shoulders of those who made the law, and not on those who were bound to obey it. If it be criminal for a person to commit a forgery, was it not criminal for another person, who was to sit in judgment on that forgery, to take an oath which, from the first, he intended never to fulfil? A Juryman should have his conscience void of offence, and leave the responsibility that arises from the operation of the law, which he has sworn to execute, on the shoulders of the Legislature. He had known men whose minds had been so strangely constituted on the subject of taking an oath, as to think they were justified in supposing that no man ought to be examined on oath, and they would rather have seen an innocent man hanged for a capital offence—aye, even for murder, than give evidence on oath, to bring the guilty man to condign punishment. If men chose to give up their property rather than prosecute an offender, they did so upon their own responsibility, though it was under a mistaken view of what was due to society; but as respects a Juryman, he was bound to act by the law, and according to the law, and no qualification with which he might endeavour to fortify his mind, could be a justification for the nonfulfilment of it; he must act according to the law, and the guilt, if any, must be upon the heads of the legislature until that law be repealed. He was deeply impressed with the importance of the subject which had been brought under their notice by the noble and illustrious Duke, and while he was prepared to go as far as any of their Lordships in mitigating the severity of a severe and indiscriminate code of criminal legislation—and while he should be the first to hail any change in that respect, which should afford a proper and sufficient protection to property, with a less infliction of pain, he should be among the last who, until that period should have arrived, would be prepared to sanction the principle avowed by any individuals, be they who they might, who thought that they had a right to violate the law and the solemn obligation which their oath imposed upon them.

Lord *Tenterden* said, that the petitioners ought to consider, that those who suffered death were very few in comparison to those who committed the offences which were by law punishable with death. With regard to that part of the illustrious Duke's address, in which he drew a comparison between the number of persons committed in this country and in France, he begged to be permitted to remark, that some reference ought to be made to the fact, that the difference in the number of offences against the law, was not so great as between the number of offences punishable with death. He also desired, that the good and respectable persons who had signed the petition should bear in mind, that the royal prerogative of mercy, was exercised with the greatest anxiety to mitigate the penalties of the law, and he must further declare, that the Judges were most desirous to recommend to the mercy of the Crown every case punishable with death, in which the circumstances would allow of such consideration. He was sure they felt the utmost anxiety and solicitude to discover any circumstances which could lead them to recommend a mitigation of punishment.

The Duke of *Wellington* said, in reference to the statement of the illustrious Duke, when he compared the extent of crime in England with that which existed in other countries, it ought to be remembered, that there was not in this country, and could not be, from the nature of our laws and Constitution a preventive police, such as existed in those other countries, which contributed greatly to check the growth of crime. A want of attention to this fact often led to erroneous conclusions.

The Duke of *Sussex* said, he had listened with great satisfaction to the remarks of both the noble and learned Lords, with regard to the petition he had the honour to present, and he heartily congratulated himself, that he had been the instrument, which had brought forth such important observations. He begged to be permitted to say, that he had not pledged himself entirely to the contents of the petition, although he went a great part of the way along with the petitioners. He perfectly agreed with the opinion of his noble and learned friend on the Woolsack, that the Juror ought to fulfil the oath he took, and he also fully agreed with the remark of the other noble and learned Lord, that it was highly desirable not to alter or limit the prerogative of the Crown to interpose and prevent executions, particularly in the hands of the illustrious individual who now exercised it. He hoped the subject would be brought under the consideration of Parliament by his Majesty's Government, but he was aware that at the present moment their attention was wholly absorbed by another great measure. He trusted he might remark in reference to what the noble Duke (the Duke of Wellington) had observed with respect to a preventive police, knowing the arbitrary manner in which a power of this kind was wielded in other countries, he should be very unwilling to sacrifice the liberties we enjoyed to possess such a security as that alluded to.

Lord *Suffield* said, he agreed with most of the allegations contained in the petition which had been presented by the illustrious Duke. It appeared to him, that the two great principles which ought to govern the punishment of criminal law, should be certainty in the first place; and the punishment being graduated according to the nature of the crime, in the second place. The present system had the effect of making injured persons reluctant to prosecute, and Juries indisposed to convict. With regard to the unwillingness of Jurors he would add nothing after the eloquent exposition of their duties by the noble and learned Lord on the Woolsack; but of the effect of the law, in inducing persons not to prosecute who had sustained injuries, he knew an instance which had occurred within a few months, in which a person put up with a loss of upwards of 1,400*l.* rather than prosecute, because that person knew the life of a fellow creature might be forfeited by his doing so.

The Duke of *Wellington* said, the illustrious Duke appeared to misunderstand the remarks he had made on the subject of a preventive police, and seemed to consider that he (the Duke of Wellington) desired the introduction of such a system into this country; he had no such desire; so far from it, that he had stated, such an institution was not compatible with the institutions of this free country.

The Duke of *Sussex* begged most earnestly to assure the noble Duke, he did not mean to say any thing of the sort. He certainly did not understand the noble Duke had recommended the introduction of a preventive police; his remarks were meant to apply to such a force generally.

Petition to lie on the Table.

REVENUES OF CANADA.] Viscount *Goderich*, in moving the third reading of the Canadian Revenue Bill, wished, as shortly as possible, to state the grounds on which he asked their Lordships to assent to his motion. In the year 1774, duties were imposed by the British Parliament on articles of various kinds imported into Quebec, for the purpose of forming a fund for the support of the Civil Government in Canada, and under the authority of that Act of Parliament, the money so levied was directed to be applied by warrant from the Treasury. At that period there was no legislative power exercised in Canada. In the year 1791, however, Parliament granted to the province of Canada a Constitution, consisting of two legislative bodies, and Canada was divided into two portions, Upper and Lower Canada. From this time the Legislative Assembly and Council formed, with the Governor, a complete legislative government, in whom was vested the right of imposing taxes and rates, to meet the exigencies of these provinces, with certain exceptions in respect to particular articles of trade and commerce, to be imported into them. In 1795, the legislative body granted in perpetuity the sum of 5,000*l.* a-year, in aid of the funds appropriated towards the expenses of the civil government, which for a long time proved sufficient for the purpose. But at a subsequent period this sum became inadequate, and it was necessary for the British Parliament to vote money for the purpose of maintaining the civil establishments in Canada. The expenses of the government, however, had a natural tendency to increase, and at length they exceeded the sum voted by Parliament, and it then became necessary for that government to apply to this country to make up the deficiency. It must be quite obvious to their Lordships, that from the moment it became necessary to apply to Parliament for relief it acquired a power of control. In progress of time, however, the Legislative Assembly, feeling that the executive was, as regarded these funds, in some dependence on it, wished to appropriate those duties, which by the Act of 1774, were to be appropriated by virtue of the warrants of the Lords of the Treasury, and it applied to the British Government for its approval of this wish. As regarded the question at law, there could be no doubt whatever that the law imposed upon the Lords of the Treasury the duty of issuing warrants for the purpose of appropriating that money; but the obligations of the law did not remove the constitutional objections, which were made to that appropriation on the part of the Assembly, and a discussion ensued, which had the effect of placing the executive government of the colony, and the other branches of the legislature, in a state of constant collision. The result was, first to cause, and then to widen, the breach between the different branches of the legislature, when every principle of policy rendered it most desirable that the utmost harmony should exist between them. The subject, after various attempts to settle the disputes, was taken into consideration by a Committee of the other House, to which it was referred on the part of his Majesty's Government. This particular part of the question was examined at very considerable length by that Committee, which recommended that the money levied by virtue of the Act of 1774, should be laid out according to the approbation of the Legislative Assembly and Council of Canada, on condition that they would undertake to provide a fixed and permanent income for the Governor and the Judges. There could be no doubt, that it was of infinite importance that the Governor of the colony, representing his Majesty, and the judicial body discharging such important functions, should be rendered independent of the fluctuating opinions and feelings of any separate branch of the legislature; and therefore it was recommended, with much propriety, that whatever arrangement was made with regard to other persons, some mode should be fixed for the permanent and certain payment of the Governor and the Judges. The Report of that Committee was presented to the other House of

Parliament in the year 1828. During the following Session the time and attention of Parliament were occupied in the consideration of a very great question, in which the country took a deep interest; and this circumstance precluded Parliament from taking any step towards getting rid of this difficulty. The warrants of the Lords of the Treasury were withheld, in consequence of the recommendation of the Committee with respect to the Judges not having been complied with. A very embarrassing state of things followed. The Governor was placed in a situation of extreme difficulty; quarrels ensued between him and the legislative body, which continued through severalyears, and made the colony a scene of unpleasant contention. In the year 1830, his right hon. friend who succeeded him as Secretary of State, introduced a bill into the other House for the purpose of bringing this matter to a conclusion; and that bill, as first introduced, was to this effect:—it provided, that after retaining a given sum for the purpose of meeting certain specified charges, all the surplus money receivable under the Act of 1774, should be paid over to the Treasury, to be at the disposal of the Legislature. It was afterwards found out, however, that this was a very imperfect mode of settling the question, because it reproduced, or rather re-enacted, the very point in dispute. The alterations which were made, began by enacting that the whole sum should be placed at the disposal of the Legislature, provided a copy of the civil list was furnished; and they also contained an original proviso, that if such an arrangement, was not acceded to, then 20,000*l.* should be returned. The arrangement still kept alive the point in dispute, and it consequently appeared liable to objection, and far from a satisfactory mode of settling the question. That bill, however, did not become a law; it was one of those measures which was interrupted in its progress by the demise of the Crown, and the dissolution of Parliament. The matter remained in this state when the Seals of the Colonial Department were confided to him. He would have been happy to follow the course chalked out by his right hon. friend; but on the best consideration he could give the question, after an attentive perusal of the correspondence, and after a conference with many persons extremely competent to form correct opinions, he became satisfied that the provisions contained in that Bill could not succeed, and he had then to consider what mode could be adopted, by which the matter might be amicably settled, without any derogation from the dignity of the Crown and Parliament of England, and, at the same time, without requiring from the Legislature in Canada any unreasonable concession. It appeared to him, that the best course would be, to apply to the case of Canada the same principle that had been just applied to the Parliament of the United Kingdom, namely, to place at the disposal of the Legislature there the revenues of Canada, and, at the same time, to have a Civil List, which the Governor was directed to prepare: he was authorized to receive and listen to any objections that might be made to it. That course was perfectly constitutional and reasonable; and he flattered himself that the provision would have been favourably received, and would answer the object for which it was intended; particularly as the Governor was instructed, that in the Civil List which he was to endeavour to obtain, in lieu of the duties which he was authorized to give up, he should insert the salaries of the Governor and those of the Judges, intending thereby to ensure by this arrangement the attainment of the two important objects he had explained to their Lordships. In the province of Upper Canada, this proposition was favourably received, and the Legislature there passed a Bill, in which a permanent provision was made for the payment of the salaries of the Governor, the Judges, the Solicitor General, and some other Officers. The Governor, by virtue of his instructions, accepted that Bill, and if the measure under consideration was agreed to, it would give effect to the law which the Assembly and Council of Upper Canada then passed. In Lower Canada, however, the Legislative Assembly did not accede to the proposition, not thinking it expedient to proceed at that time to the consideration of the question. They did not positively refuse, but they returned that answer. If he had considered that this proceeding on their part, arose from any insuperable objections likely to be thrown in the way of the final adjustment of the question, he certainly should not have been disposed to include Lower Canada in that Bill; but being convinced that this answer was dictated by a variety of other matters, that had been in progress of angry discussion for a very considerable time, he had included Lower Canada, expecting a better disposition in a short time. Of course, if the province of Lower Canada did not pass an Act to give salaries to the Governor and Judges, as far as that province was concerned, the subject would remain in exactly the same situation as at present, and the House must ascertain whether any other mode could be adopted by which these difficulties could be removed. He hoped, however, that no such necessity would arise. That which was proposed ought to satisfy the Legislature of Canada. Without introducing anything unfit to be adopted, it was the duty of the Government to endeavour to further the welfare of both these colonies, which were most important on account of their geographical positions. One of the most essential objects at which their Lordships could aim, was, to secure a good understanding and perfect harmony between this country and her colonial possessions, which were in many respects essential to her strength and security; and if it were necessary to sacrifice some trifling interests, yet this object was of so much importance, that he should call upon their Lordships to sanction a Bill which would give contentment to Canada. He certainly should not be disposed to advise his Majesty to give his assent to the present Bill, until the Canadian Assemblies agreed to provide, in the manner he had pointed out for the expenses of the civil Government and the administration of justice; but he believed that that Assembly would do what was just and due to the mother country.

Earl *Bathurst* was of opinion, that nothing could be more improper than to leave Judges to be provided for by an annual vote of the Colonial Legislature; and he thought that the noble Lord, before introducing this measure, ought either to have obtained the consent of the legislative assemblies of the Canadas to make a permanent provision for the Civil Government and the Judges, or he should have inserted into the Bill a proviso, to render it inoperative unless such an agreement was come to. He had no doubt that his noble friend had kept the object in view, of having a proper provision made for the Governor and Judges, but he feared the measure would have the effect of placing the Governor in opposition to the Assembly, because he would be the party who was to accept or reject the Bill, and it might not be advisable always to give the Governor this uncontrolled power. Their Lordships would, however, recollect, that there was not much doubt with respect to the operation of the Act, 14th Geo. 3rd, which was to continue for upwards of twenty years. First, 5,000*l.* was granted under it, then another 5,000*l.* was required, and when an application was made to the Colonial Assembly for this addition, they said, "If you apply to us for additional votes, we surely have a right to know in what manner you are to expend it;" and they certainly had a right, in such circumstances, to say they would object to any expenses which, in their opinion, were improper, and, upon this ground it was, that the circumstances occurred which his noble friend had described with regard to the Treasury warrant. The circumstances of the Civil List were essentially different from those which his noble friend had cited as precedents, and he (Earl Bathurst) considered it would be unadvisable to place the whole of this sum at the mercy of the Colonial Legislative Assembly, to be provided by annual votes, the consequence of which would be, the officers to be paid under it would look with some anxiety to the effect their conduct might have on the Colonial Assembly with respect to the receipt of their salaries. His noble friend had stated, that a fixed and permanent provision would be made for the Governor and Judges under this Bill: he had no doubt his noble friend thought so; but he (Earl Bathurst) could not consider it in that light, and he most decidedly objected to the Governor and Judges being provided for by an annual vote of the Legislative Assembly, which, he feared, would injure the integrity and impartiality of the administration of justice.

Viscount *Goderich* said, if he understood the noble Earl correctly, he did not object to the Judges having a permanent salary, but to their being paid by annual grants voted by the Colonial Assembly. There had been very great difficulties in bringing this point to a satisfactory conclusion, and he must then say, that he did not feel the force of his noble friend's objection. If the Bill were passed without this clause, the question would remain just as it was, and he must say for himself, he had not the smallest intention of giving one party an improper control over another.

The Duke of *Wellington* said, that if this Bill was agreed to, the effect would be, that a fund would be provided ove which the government of Canada alone had control, and if it did not exercise the power to the satisfaction of the Government at home, the Treasury would have no control over it. The effect of the noble Lord's Bill would go to deprive the Legislature here of all the power it at present possessed. He did not see, if that Bill received their Lordships' sanction, what was to prevent the Canadian legislatures doing what they pleased with their revenue. He, therefore, agreed with the noble Earl, that some qualifying provision ought to be introduced into the Bill. It was a question whether some of the provisions of that Bill might not interfere with the independence and functions of the Judges of the land.

Viscount *Goderich* thought the administration of justice ought to remain as it was at present, but he certainly was of opinion, taking into consideration the increased expenses, that the legislature of Canada should possess a control over its own revenues, which he was certainly not disposed to think very objectionable in itself, nor likely to lead to the consequences which his noble friends seemed to anticipate.

Bill read a third time and passed.

HOUSE OF COMMONS,

Tuesday, September 6, 1831.

MINUTES.] Bill brought in. To appoint Commissioners for inquiring into Charities.

Returns ordered. On the Motion of Mr. Alderman WOOD, the quantity of Malt Spirits distilled in the Highlands and Lowlands of Scotland, distinguishing each, from October, 1823, to October, 1830; and of the quantities exported to Ireland and England, and of the quantity of Jersey and Guernsey Spirits imported during the year 1830.

Petitions presented. By Mr. LEADER, from the Inhabitants of Clare and its vicinity, praying for the introduction of Poor Laws into Ireland, and that the Property of Absentees should be doubly assessed; and from the Catholic Inhabitants of Ballyclough, and the Clergy and Laity of the same persuasion, of Newmarket (Cork), against any further Grant to the Kildare Street Society; by Mr. H. ROSS, from the Merchants and Shipowners of Montrose, against the Quarantine duty; by Mr. JAMES, from certain Inhabitants of the Metropolis, for a remission of the Sentence passed on the Rev. Robert Taylor; by Mr. DIXON, from the Glasgow Reform Association, praying that the progress of the English Reform Bill may be hastened; by Mr. GROSVENOR, from the Millers of Chester, against the Importation of Foreign Flour.

SALE OF BEER ACT.] Sir *Jacob Astley* presented a Petition from sixty Clergymen, including two Archdeacons, residing in Wiltshire, against the Beer Bill. The hon. Member said, it was no doubt in the memory of the House, that disturbances had prevailed some time since in that neighbourhood; and, though he would not venture to say, that these beer-shops had caused those disturbances, he felt convinced they contributed to keep them alive, by affording a rendezvous for the idle and the dissolute. He begged to say, that he concurred in the prayer of the petition.

Mr. *Benett* could not believe, that these beer-shops had anything to do with the riots to which the hon. Baronet had alluded. He could see no reason why a poor man should be debarred from going to the beer-shop for refreshment, while the tavern was open to the more wealthy. He never heard, that those shops harboured improper persons. From what he had been able to discover of the effects of the Beer Act, he thought it unobjectionable, and it should, in consequence, continue to receive his support.

The Petition to be printed.

YEOMANRY (IRELAND).] Sir *John M. Doyle* presented a Petition from the inhabitants of Leighlin Bridge, in the county Carlow, praying that the Yeomanry of Ireland might be disarmed, in which prayer he cordially concurred.

Mr. *O'Connell* said, that he had been requested to support the prayer of the petition, which he was most happy to do. It had been stated by the right hon. Secretary for Ireland, that orders had been given that no more arms should be delivered to Yeomanry corps, but he had been informed, that a recent issue of arms had taken place. He regretted much to hear that, for the greatest disaster that could befal his country would be, the general arming of the Yeomanry.

Mr. *Blackney* said, this petition was signed by both Catholics and Dissenters, who were all most anxious to have its prayer attended to, and such, indeed, was the general wish of the people of Ireland.

Mr. *Shaw* hoped the Government would not be induced by these petitions, to disarm the Yeomanry of Ireland, whom he considered to be a most useful body of men. They were the only protection the loyal part of the people had in some districts in Ireland.

NEW LONDON BRIDGE.] Mr. *Hunt* presented a Petition from Peter Jeffery, a respectable individual, an inhabitant of the City, upon a subject of considerable importance. The petitioner stated, that he had devoted a great deal of time and attention to the progress of the New London Bridge, and that he had discovered it had been built in so bad a manner, that the two arches on the Southwark side of the bridge had sunk eight inches and a half below the proper level of the bridge. Some of the other arches had also sunk below the level, varying in degree from three inches and a half to five inches and a half; but the two extreme arches had sunk to the extent he had already stated. The petitioner asked the House to institute some inquiry into the subject of the building of this bridge, for there were various defects in its construction, which ought not to exist in a public work of so much importance. He wished to know from some of the hon. members for the City, whether the Committee appointed to manage this work, had taken any security from the contractors for the manner in which it was to be completed, and for its stability? He hoped they had, for he understood from this petitioner, that for filling up the backs of the arches, bricks, and not stones, had been employed, and that these bricks were so bad, that they almost pulverised between the fingers. The public had subscribed largely for building the bridge, therefore the Government had a right to interfere. It was clear there had been some gross mismanagement; he feared it would turn out one of those City jobs, which were generally of too gross a character for him to describe. He trusted, that some inquiry would be made, and that the public would be made acquainted with the cause of the bridge sinking. That it had sunk he was well aware, for he had that morning taken the trouble to go and examine it himself.

On the question that the Petition do lie on the Table,

Mr. Alderman *Wood* said, he was sure that the House would not alarm themselves with the idea that the bridge was in danger of falling, and he could assure them that there was no cause for any such fear. This was the first time that he had heard any doubts of its stability. He believed that there was no foundation for any such doubts; and it would be difficult to find any instance of a public building in which there had been such good work, such good materials, and so much attention employed. In answer to the question put by the hon. member for Preston, he begged leave to say, that they had taken security for the due and proper performance of the work—they had taken security to the amount of upwards of 200,000*l.* He must say, that he was astonished at some of the complaints now made by the petitioner; for Mr. Jeffery had written to him the other day on this subject, and had not then, in the slightest degree, alluded to the insufficiency of the materials, which now formed one of the subjects of his petition. He trusted, that the House would agree with him, that there was not any necessity for their instituting a formal inquiry into this matter; but he promised that he would himself set on foot an immediate inquiry into the circumstances stated in the petition, and he believed he should be able to convince the House, that its allegations were unfounded.

Mr. Alderman *Thompson* did not believe, that there was the least ground for alarm on the subject. The sinking which had been observed, was only that average sinking which all new buildings were subject to. He regretted, that those individuals who now talked of the badness of the materials, had not had the manliness, during the whole time that had been occupied in building the bridge, to come forward with that complaint while the work was in progress, and when the evil could at once have been remedied. The hon. Member had been pleased to call it a City job; what the hon. Member meant he did not know, but it must be in the recollection of the House, that the Corporation of London had given all the opposition in its power to the new bridge being built, as it considered that the old one might have been repaired; but, when a new bridge had been decided on, the Corporation had been most anxious, that a substantial structure should be erected, which would do credit to the metropolis. He believed that there was no public work which would be found to do more credit to all those concerned in it, than the New London Bridge.

Mr. Alderman *Venables* expressed an opinion of a similar kind, and declared his conviction that the allegations in the petition were unfounded.

Mr. Hunt moved that the Petition be printed.

Mr. Alderman *Thompson* begged the

hon. Gentleman would postpone his motion until the next day, to which Mr. Hunt agreed.

Bishoprick of Derry.] Mr. *Hume* rose to submit to the attention of the House a subject of which he had given notice. It was one of considerable importance, and he had, therefore, felt himself called upon to bring it under consideration this day. He had already more than once postponed the subject, and he should not have brought it forward—so unwilling was he to do any thing that might for an instant tend to delay the progress of the Reform Bill—but that circumstances had occurred which rendered him unable any longer to postpone his Motion. What he should afterwards do, would, however, depend upon the answer he obtained to the following question: He wished to know, what was the intention of the Government as regarded the filling up of the vacant bishoprick of Derry?

Lord *Althorp* had no hesitation to give an answer to the question of the hon. Member. The Motion of which the hon. Member had given notice related to the revenues of the see of Derry. It was his opinion, that this was a question well worthy of the consideration of the Government, and he was ready to state, that the Government had taken into their consideration the question to which the hon. Member had alluded. It appeared to him, that although it would be improper to turn the revenues appropriated to the support of the Established Church to any other purposes but those of the Protestant Church Establishment, still the question would be different, if, by an alteration in the distribution of these revenues, the poorer clergy might be assisted in a better manner than at present, without diminishing, in any improper way, the support required for the maintenance of the rank and station of the superior clergy. That was the view which the Government had taken of the subject; but when the question was looked at in that view, it appeared more proper, that if any steps of the kind were taken,they should be taken with reference to the question generally,and that the change,if any,ought not to be made applicable to one individual instance. The Government,therefore,had not taken any steps with regard to the see of Derry in particular; but whoever should be appointed to that bishoprick would be so appointed, upon the understanding that no rights he might acquire by that appointment would be allowed to interfere with such an arrangement, if, at any time, any such arrangement should take effect. This was the state in which the question now stood; and having made this statement, he trusted that the hon. member for Middlesex would feel it to be sufficient, and would not think it necessary to proceed further with his Motion.

Mr. *Hume* said, he had no hesitation in saying, that he was perfectly satisfied with the statement just made by the noble Lord opposite. It now appeared, that the Government intended to act upon a general principle; and if they did so, it would bring the whole question fairly under consideration. Under these circumstances, he should be sorry to press the question further at present, lest it should turn to harm instead of good.

Motion withdrawn.

Quarantine Dues.] Mr. Alderman *Thompson* rose for the purpose of submitting to the consideration of the House the Motion of which he had given notice, relative to the Quarantine Dues, and, in doing so, he called their attention to the report of a Select Committee, appointed to consider the subject some years ago. That Committee condemned the whole of our quarantine system, and, more especially, that part relating to the mode of levying the fees. The Report stated—"The Committee are convinced,that the charge of quarantine should be borne by the public, and not by the shipowners or merchants, as the quarantine is imposed solely for the protection of the public. The Committee recommend to the House to remove and abrogate all fees now paid by ships performing quarantine." It was in consequence of the recommendation of this Committee that the tonnage and poundage duty was repealed, and other changes in our commercial policy took place. Shortly after this a Bill was brought into Parliament for the consolidation of the quarantine laws, and it distinctly stated, that all Acts were repealed, and all fees were abolished, except those authorized by Act of Parliament. There was no Act to authorize the levying these charges. The preamble of the Act 6th George 4th, cap. 78, said—"Whereas it is expedient to repeal the several laws relating to the performance of quarantine, and to make other provisions in lieu thereof; be it therefore enacted by the King's most excellent Majesty, &c., that from and after the 1st day of June, 1825, all and every Act, and all parts of the Acts of Parliament of Great Britain and Ireland respectively, and of the Parliament of the United Kingdom, relating to the performance of quarantine, or relating to the charging any duty or duties upon vessels which may be liable to or have performed quarantine, shall be, and the same are hereby repealed, save and except such Acts and such parts of Acts as relate to the payment and recovery of any duties imposed by the said Acts or parts of Acts, which shall be due and unpaid on the 1st day of June by any person or persons under any or either of the said Acts," &c. &c. It was his opinion, that since the passing of that Act, founded upon the Report of that Committee, the levying of those duties on the shipowners was illegal. In the first place, the fee itself was heavy, being *5l.* 14*s.* 6*d.*, but the way in which it operated was particularly oppressive, for no difference whatever was made in the fee, no matter what might be the size of the vessel. Thus it happened in one instance, that a vessel from Hamburgh, having only a cargo to the amount of 16*l.*, had actually to pay nearly 6*l.* for quarantine dues. Independent of this, there was so much trouble and loss of time, that the fee in reality amounted to 7*l.* or 8*l.* for the shipowner had to send his clerk to attend at the Council office. It might be said, probably, by his right hon. friend, that the shipowner or merchant must receive this sum back in freight. He must deny, that this would be the case, for it was impossible to calculate upon the probability of a ship being compelled to perform quarantine. He knew that was the case with ships coming from the Baltic; for when the agreement relating to the freight was made, the shipowner had no conception that his vessels would have to endure it. He believed, that in no other European country were such heavy charges made. He freely admitted, that for public safety, the Government had a right to impose a quarantine upon all vessels coming from infected places, but then the expense of this ought to be thrown upon the public, and not upon individuals, particularly where it operated so very unequally, a ship of 600 tons burden paying only the same fees as a vessel of the smallest class. The hon. Alderman concluded by moving a resolution to the effect —"That it is inexpedient to subject vessels placed under quarantine to the payment of the sum of *5l.* 14*s.* 6*d.* for their order of release by the Lords of the Privy Council."

Mr. *Dixon* seconded the Motion; in doing which, he observed, that he could add nothing to the forcible statement of his hon. friend. It must be evident that the shipowner was harshly treated, by having these fees exacted from him, when the quarantine was established for the public benefit.

Mr. *Poulett Thomson* could not altogether agree in the principle laid down by the hon. Alderman, that this was a tax on the shipping interest. It was a tax paid in aid of the revenue of the country; in the first instance, by the owners of ships, but ultimately by the consumers; and the shipowners, of course, had a return for the amount thus paid, by charging an increased rate of freight. Without entering further into the general question, however, he would at once admit, that it was an impolitic mode of paying a certain sum into the revenue, and he had the pleasure to state, that it was the determination of his Majesty's Government to put an end to the payment of this duty altogether, on the 1st of next January. When the hardship of this payment was commented upon, it should be considered, that the expenses of the quarantine establishment averaged 30,000*l.* a-year, and it was not so very unreasonable, that ships subjected to the quarantine regulations should pay a certain sum towards defraying this expense. If the expense of the quarantine establishment was not provided for in this way, it must be provided for out of the general revenue, and he thought, that much more than the sum received in this way was expended in carrying into effect the quarantine regulations. He contended, that the owners of ships trading to the Baltic had not been taken unawares by the levying of this tax on them during the last year, as they had chartered their ships with the full knowledge that it was to be exacted. He could not at all agree with the proposition of his hon. friend, that the duty should be immediately relinquished on ships coming from the Baltic, because it would be saddling the country with an additional expense, and making the owners of the ships which should arrive during the remainder of the year a present of that sum. He had no objection to give them the benefit of that sum, but on the present occasion he thought it would not be fair to the public. The hon. Alderman said, that the sum received during the present year, under this head, exceeded the amount on former occasions, by 25,000*l*. or 26,000*l*. It was to be considered, however, that its proportion to the whole expense of carrying into effect the quarantine regulations was not greater than before. The whole amount of the expense had necessarily increased, and it would be unfair to the country at large to increase it further by forfeiting the fees due on the ships which should come for the next half year. Under all the circumstances, he hoped, that the House would concur with him, that it was advisable as regarded the revenue, and only just to the country, not to carry into effect the determination of Government before the time stated. The hon. Alderman said, he knew of no country in which the quarantine fees were so considerable as in this. Now, he (Mr. Poulett Thomson) knew of no country in which they were so light. In all parts of the south of Europe, quarantine dues were a horrible exaction, and he believed it would greatly promote the general interests of commerce, if we could induce foreign countries to follow our example, and reduce these fees.

Mr. *Warburton* was happy to find, that the difficulty was reduced to such narrow limits. The only question was, whether those fees were to be abolished in the middle of September, or on the 1st of January, 1832. So long as those fees were retained, it would be granting a bonus to ships to evade the quarantine regulations, and, therefore, the sooner they were taken off the better. He agreed that the tax fell, like all others, eventually on the consumer; but it was not fairly levied in this instance. The small vessels paid as much as the large, and the owners of the small vessels could not possibly bring back the money into their pockets by an increase of freight. He hoped, upon every ground, that the tax would be immediately taken off.

Mr. *Maberly* thought the Government had met this question with great firmness and fairness, and that they ought not to be pressed to reduce the duty sooner. It was admitted, that the tax ought not to continue to be levied on individuals, but its abolition was postponed till the 1st of January, because a large proportion of the vessels subject to quarantine had already paid; and he thought the shipping interest ought to be satisfied with the assurance, that they would have to pay the tax no longer than up to the 1st of January.

Mr. *Hume* hoped to be able to convince his Majesty's Government, that they ought, not only immediately to reduce the tax, but, that they ought to repay what they had received from the owners of vessels trading to the Baltic, since January last. It had never before entered into the head of any individual, to charge vessels coming from the north of Europe a quarantine fee; and the freights of those vessels, from time immemorial, were calculated without any reference to such a charge. The Chancellor of the Exchequer was actually in possession of 25,000*l*., or 30,000*l*., which he ought never to have had; and if he (Mr. Hume) had a ship clearing out, he would resist this charge as illegal. Those fees, when levied on the Turkey and Levant traders, were not intended, originally, to defray the expense of the quarantine charges. They arose out of an abuse in the public offices, and it was in 1784, on finding their enormous amount, that a Committee recommended, that they should be applied in aid of the public revenue. It was never contemplated, under the Act of Parliament imposing quarantine regulations, that the owners of ships should pay a shilling fee, and, as a matter of justice, the exaction should be put an end to at once. When the rate of freight to the Baltic was considered, and the increased expense to which the owners were subject for provisions and wages, consequent upon the quarantine regulations, it was quite clear they could not put a shilling in their pockets for freight; and it was very hard, under such circumstances, to oblige them to pay a fine of 5*l*. 14*s*. 6*d*. As a matter of fairness and right, he hoped the noble Lord (the Chancellor of the Exchequer) would consent to abolish the duty immediately, and to refund what he had received from the Baltic traders.

Mr. *Maberly* said, he had suffered, and was suffering, by the payment of those dues; but he had no objection that they should be levied until January, and then finally abolished.

Mr. *Hume* said, it was very well for his hon. friend (Mr. Maberly) to speak for himself; but he (Mr. Hume) spoke for others who were not so well able to afford to pay those dues as his hon. friend.

Mr. *George Robinson* did not think that the owners of ships trading to the Baltic, ought to be exclusively considered. They were subjected this year to the quarantine fees, because a contagious disease prevailed in that part of the world, which made it necessary to place them under quarantine regulations. Government had expressed its willingness to concede the abolition of those dues; but he could not at all agree with his hon. friend (the member for Middlesex) that the reduction should be retrospective, and that Government should refund the fees received since January last. If the measure was retrospective, they should go back much further than January. He thought it would be entirely satisfactory to the shipping interest, if the fees were abolished from this day forward.

Sir *Matthew White Ridley* expressed his satisfaction at the statement made by the right hon. Gentleman (Mr. P. Thomson), that it was intended to discontinue demanding those fees after the 1st of January next; but he should have been much better pleased if the quarantine fees were abolished at the present moment. The amount of this duty was very small when compared with the general revenue, and he thought his noble friend (the Chancellor of the Exchequer) would be conferring a great benefit on the shipping interest if the duty was made to cease from the present time. The sum of *5l.* 14*s.* 6*d.* was really a great object to many persons in the shipping trade.

Lord *George Bentinck* agreed with the hon. member for Middlesex, that under the 5th George 4th, Government was not entitled to levy any fee whatever on the owners of ships subject to the quarantine regulations. The tax pressed very heavily on many of the shipowners of Lynn, who had to pay it perhaps three times in a season. It was a great mistake to suppose that this tax did not fall exclusively on the shipowners. Ships going to the Baltic had to compete with those engaged in the North American trade, and a shipowner having the option of going to either place for a cargo, would, of course, prefer that place not charged with these fees. The shipowner trading to the Baltic was not able to raise his freight, and consequently the loss fell on him.

Lord *Althorp* observed, that, looking at this as a mere question of justice, he thought the fees should not cease until the month of January. The vessels were chartered under the impression that the tax was to be paid, and it was more just that the ships now abroad should continue to pay when they came back, until the end of the present year. He had heard nothing to convince him, that the arrangement proposed by his right hon. friend was not consistent with justice.

Mr. Alderman *Thompson* said, that if the tax was to be abolished instanter, he should not press his motion; but otherwise he could not consent to withdraw it.

Lord *William Lennox* strongly urged the worthy Alderman to persevere in his motion. It was unjust that ships of 250 tons should pay the same as those of 600. Besides, as most vessels in the course of the year made two voyages, most ships had already paid one fee; it would be quite fair to take the fee off from the present time. It seemed doubtful whether the tax was legal; at all events, it was highly inequitable, that individuals should pay for the benefit of the public at large.

The House divided on the Resolution: Ayes 20; Noes 64—Majority 44.

BANK OF SCOTLAND.] Mr. *Herries* rose to move for copies of the Charter of the National Bank of Scotland, and for certain papers which were connected with the subject. He apprehended no opposition would be made to his Motion. His object in seeking to obtain a copy of the charter was, to call the attention of the House to some defects of omission in that document, which he thought admitted of an easy remedy. For example, he thought the responsibility of the principals in the bank, not sufficiently secured, as he would explain to the House on a future occasion. The right hon. Gentleman concluded with moving for a copy of the Charter granted to the National Bank of Scotland, and the papers—including the opinions of the Law Officers of the Crown—relating thereto.

The *Lord Advocate* said, that no objection existed on the part of the Government to the production of the documents moved for by the right hon. Gentleman. The Charter granted only the power of suing and being sued through the Company's authorised officers—an arrangement which he would endeavour to show was the best, in a national point of view, which the Law Officers of the Crown could, under the circumstances of the case, have sanctioned.

Mr. *Hume* wished to know what course the right hon. Gentleman meant to pursue, when he had obtained the papers?—whether to alter the Charter, or move for its repeal?

Mr. *Herries* had no intention to infringe on the Charter, or to make any alterations, other than that of supplying some deficiencies in its details, to which he would shortly call the attention of the House.

Mr. *Maberly* thought, the principle of suing and being sued through the bank's officers a good one, but he hoped that Ministers would in no way lend themselves to bestowing upon any Company a monopoly.

Mr. *John Campbell* said, as the law at present stood in England, partners escaped from individual liability; it would, therefore, be a great benefit, if similar Charters could be granted in this country.

Sir *Edward Sugden* said, that every Government was bound not to grant particular privileges to one person at the expense of another. Nothing was more common than for Companies to start up, with a supposed capital of three or four millions, of which, probably, only about five per cent had been paid up, yet they deceived the public by putting up "sanctioned by Act of Parliament," while the sanction only was, to sue and be sued by their proper officers; the public were, therefore, liable to be imposed upon. Government should take care, that all capital should be paid up in the shares of Companies, to whom they granted Charters.

The Motion for the returns was agreed to.

ACCIDENTS BY STEAM VESSELS.] Colonel *Sibthorp*, pursuant to notice, rose to move for a Select Committee to inquire into the best means of preventing the occurrence of accidents in Steam-vessels. The hon. Member said, he was induced to bring forward this Motion by the strong public feeling, and deep sympathy, which the recent loss of the *Rothsay* steamer had given birth to; and hoped, that the result of the Committee's labours would be, securing the public against a recurrence of such a deplorable calamity.

Mr. *Lamb* entertained by no means very sanguine hopes from the labours of the proposed Committee, but still was willing to give it a trial, as a means of allaying public excitement, and convincing the public mind, that the occurrence of these lamentable accidents was in no ways imputable to the neglect of Ministers or Parliament.

Motion agreed to, and a Select Committee appointed.

CROWN DEBTORS.] Mr. *Hunt* rose to move, pursuant to notice, an Address to his Majesty, that he would be pleased to release all Crown Debtors now in prison, at the ensuing ceremony of the Coronation. The hon. Member said, that in bringing forward this Motion, he was influenced by an earnest desire to promote those feelings of regard to our patriot Sovereign, which at present were so prevalent among all classes of the people. The releasing those Crown debtors, whom he particularly alluded to, he meant those who were confined for arrears of taxes, fines, and other debts to the Crown, and not those who were confined for a violation of the Customs or Excise laws—so far from being detrimental to the revenue, would be actually a national saving. Experience had shown, that in nineteen cases out of twenty of those confined for debts to the Crown, of the class which he had just specified, the revenue never recovered a single farthing, while the nation was put to the expense of supporting them in prison. For example: he knew one case of a person who was imprisoned in Somersetshire for sixteen years, for arrears of taxes to the amount of 34*l.*, all which time his support was defrayed at the expense of the county, at an annual cost of 30*l.*, though ultimately he was discharged without paying a farthing, from total inability. Besides, therefore, effecting a national saving, the Address would, if acted upon, be just now felt by the people as a special act of grace, in the best sense of the term. He begged, therefore, to move, "That an humble Address be presented to his Majesty, praying his Majesty to grant an act of grace to all Crown Debtors on the approaching Coronation."

Mr. *Hume* seconded the Motion, on the ground, that he had ever advocated the principle, that debtors to the Crown should be placed on precisely the same footing with debtors to private persons. He had hoped, that the hon. and learned Member, who had recently taken up the cases of those unfortunate people who had been confined for Contempts, would also have done the same with regard to Crown debtors, and have prevented their being detained in prison when they had not the means of discharging the debts.

Lord *Althorp* was sure the House would at once see the inexpediency of acceding to the hon. Member's Motion. It was objectionable even in its form of wording—so far as it included "all" Crown debtors; and was highly objectionable on principle. If it was right, that his Majesty should, of his own free accord, discharge the Crown debtors from prison, it was plain, that the grace of the act would be done away by the proposition's not emanating from his own royal clemency, but from that House. And if it was not right, it was equally plain, that the Motion must appear neither more nor less than an act of censure, on a matter on which Parliament had no right to interfere. Upon these grounds he was prepared to resist the Motion.

Sir *Edward Sugden* was willing to place every confidence in the discretion of Ministers with respect to the Crown debtors. He had no intention whatever, he begged to inform the hon. member for Middlesex, to introduce any remedial measure with regard to Crown debtors.

Mr. *Hunt* begged to say, that, after the declaration of the noble Lord, he would not persist in his Motion. In withdrawing it he must add, that he never meant the remotest censure on Ministers or his Majesty; and he thought, he was forwarding the humane and enlightened designs of both with respect to the poor debtors—unfortunately, a very numerous class at this moment. He was one who highly approved of the approaching ceremony of the Coronation, and merely wished to add to its *éclat* by an act of well-timed mercy.

Motion withdrawn.

Release of Debtors.] Mr. *Hunt* had given notice of another motion, but he understood it could not be entertained by the House in the way he had proposed; he would therefore move that on Friday the House should resolve itself into a Committee of the whole House, to consider of an Address to his Majesty, for the advance of a sum of money to be appropriated to the discharge of debtors for small sums, confined in his Majesty's various gaols throughout the United Kingdom. When the House should have gone into Committee, supposing his notice should now receive its sanction, it was his intention to move that the sum of 24,000*l.* be appropriated to that purpose. This sum was what the Coronation robes of his late Majesty cost. He thought that on a day of public rejoicing, like that of the Coronation, such was a proper period for giving to the poor debtors, who, it was said amounted to about 10,000 persons, and many of whom were now lying in prison for debts under 5*l.* their discharge. He trusted that his Majesty's Ministers would take the subject into their serious consideration.

Sir *Charles Forbes*, in seconding the Motion, said, he hoped that Ministers would approve of the measure—he was sure it would receive the approbation of the country.

Lord *Althorp* said, it did not appear to him that the Motion now made was one to which the House ought to accede. However much their feelings might be moved, they were bound not to indulge them; nor did he think that there were so many persons confined for small debts as the hon. Member seemed to imagine. They might take the benefit of the Insolvent Act if they pleased. He should therefore feel it his duty to oppose the Motion.

Mr. *Hume* agreed with the noble Lord who had just addressed the House, that the present motion was one which could not be countenanced by the House. With respect to what had been said on persons being imprisoned for debt, he begged to observe, that he hoped some measure would be brought forward by Government to abolish imprisonment for debt, being fully persuaded that such a course was highly injurious to individuals and the public at large. He wished to ask whether any measure was in contemplation, founded upon the report of a Commission which sat two Sessions ago, to inquire into the subject? from the result of whose labours he hoped some means would have emanated to prevent persons from being imprisoned for such small sums.

Lord *Althorp* said, he wished the subject to be brought forward, but not in the shape proposed by the hon. Member.

Sir *Edward Sugden* hoped that it would not be understood, from what had now transpired, that the law of imprisonment for debt was to be abolished.

Mr. *Hunt* regretted to understand this was a case in which the House would not interfere, but he begged to remind the noble Lord that 15*l.* debt was necessary to enable a man to take the benefit of the Insolvent Act, and many of the unhappy people for whose release he was anxious, were imprisoned for sums not amounting to 15*l.*

Motion negatived.

REFORM—PAYMENT OF BARRISTERS.] Mr. Bernal brought up the Report of the Committee of the whole House on the resolution proposed last night relative to the payment of Barristers.

Mr. *Hume* could not allow this resolution to pass without dissenting from it. All expenses of elections ought to be defrayed by the counties. He saw no reason why the people of Scotland, who had to pay for their own registration, should also contribute to the payment of that of the people of England.

Report agreed to.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—COMMITTEE—THIRTY-NINTH DAY.] Lord *Althorp*, in moving the Order of the Day for the House resolving itself into a Committee on the Reform of Parliament (England) Bill, expressed a hope that they would let the Bill get through the Committee that evening, even though it should lead them to sit to a later hour than usual.

Sir *Edward Sugden* said, that he had no wish to prevent the noble Lord from accomplishing his wish to get this Bill through before the Coronation; at the same time he must object to their sitting much beyond their usual hour.

Lord *Granville Somerset* could not accede to the proposition of the noble Lord. He had himself a clause to propose as soon as the Committee got through the present clauses of the Bill; but he could not think of bringing forward that clause at half-past one or two o'clock in the morning.

Mr. *Hunt* hoped the remaining clauses would not be hurried through the House: some of them he considered among the most important in the Bill.

Mr. *Wilks* had given notice of his intention to incorporate into this Bill a clause, enacting that Parliaments should not have more than a triennial duration. Now, as the present Bill was only a local Bill, being for the Reform of the Representation in England and Wales merely, and as the two other Reform Bills were also locals bills for Scotland and Ireland respectively, he was of opinion that a clause of a general description could not properly be introduced into any one of them. Though he was more and more convinced of the necessity of making Parliaments triennial, he was now of opinion that a separate bill would be the best mode of effecting that object. He should, therefore, not introduce the clause of which he had given notice. At the same time he begged leave to state, that in the next Session of Parliament he would move for leave to bring in a bill to prevent the continuance of any Parliament for more than three years.

Sir *Edward Sugden* was glad that something at least would be left for a new Parliament to do.

The House then went into Committee.

The forty-fifth clause, by which counties are to be divided into districts for polling by Justices in Sessions, was agreed to after some slight verbal amendments.

On the proposal of the forty-sixth clause, which relates to the erection of booths at the polling places,

Sir *Edward Sugden* expressed his former opinion, that it would be found impossible to carry the machinery of this clause into operation in the case of a contested election; the time allowed was too short.

Mr. *Hughes Hughes* said, that there was good reason why the booths should be provided by the county, and paid for at the county expense. That expense would be very trifling, if they could be made so as to be put up and taken down at every election. They might also be used for other county purposes.

The clause was then agreed to.

The forty-seventh clause was then put, which makes provision as to the Sheriff's deputies, the custody of the poll-books, and the final declaration of the poll.

Mr. *Houldsworth* contended, that this clause would amount to a perpetual obstruction to all free elections in counties for the future. From calculations he had made, he found it would be impossible that the electors in large counties could be polled in a contested election at different places, within the time limited.

Lord *Althorp* defended the clause; he

could not enter into such nice calculations as those which the hon. Member appeared to have made, but, in general, as contests would not take place without some motive, the Sheriff would be aware of them, and take the necessary measures without difficulty.

Mr. *Hughes Hughes* begged to call the noble Lord's attention to the frequency with which contests arose on the day of nomination, without any previous intimation; and if these remarks were applicable to counties, they were still more so to cities and boroughs, where an election might commence on the day of nomination.

The clause was then agreed to.

Sir *Edward Sugden* said, from the wording of this clause, it would appear that the state of the poll could not be known until the conclusion of the contest. The effect of this would be, an election must always continue until the termination of the time allowed.

Lord *Althorp* could not agree with the hon. and learned Gentleman, because it was impossible to suppose, that this provision of the Bill could prevent any candidate from obtaining the necessary information as to the state of the poll, by which he could regulate his proceedings either to retire or go on.

Mr. *Houldsworth* said, that might be the case in boroughs, but in large counties the state of the poll could not be known where the polling places were widely separate.

Sir *Edward Sugden* supposed telegraphs would be established, for no other method would enable the candidates to obtain the necessary information.

Clause agreed to.

The forty-eighth clause, relative to the commencement and continuance of polls at borough elections, was next read.

Mr. *Hughes Hughes* begged the noble Lord would inform him, that as this clause provided that the poll should commence on the day of nomination, or on the third day at the outside, who was to regulate that?

Lord *Althorp:* the returning officer, of course.

Mr. *Hughes Hughes:* then that should be expressed in the clause; it ought not to be left in any uncertainty.

Mr. *John Campbell* said, in his opinion, the returning officer was the proper person to have this discretionary power—he would, no doubt, consult the convenience of the candidates.

Mr. *Wilks* differed from the hon. and learned Gentleman. The returning officer might have a political bias, it might be the interest of one candidate to put off the election until the last hour allowed, and the interest of the other to commence it immediately: as little ought to be left to the discretion of the returning officer as possible.

Lord *Althorp* said, something must be left to his discretion, although it was, undoubtedly, right to confine it as much as possible.

Mr. *Wilks* said, he should move, that the following words be inserted in the clause "as the candidates at the election may agree, or, in case of their disagreement, as the returning officer shall direct."

Mr. *John Campbell* said, these words would never answer; suppose there were three candidates, two on one side and one on the other, then the returning officer must decide.

Sir *Edward Sugden* said, that probably these words would apply better "at the discretion of the returning officer when the candidates shall not agree on the day."

Mr. *Cresset Pelham* said, if the nomination was fixed for an early day, another candidate would be prevented from coming forward, and the returning officer might be prevented from giving due notice.

Mr. *Wilks* said, the clause only applied to contested elections, and the nomination was the time at which the contest was to begin, and from which all the arrangements must be made; consequently no new candidate could start after that, and this provision was a great improvement on the old system in that respect.

The *Chairman* said, the question was, that after the words "at the latest, on the third day," it was proposed to insert "unless that shall happen to be on a Sunday, and in that case, on the Monday following;" and the amendment proposed was to insert in addition "at the discretion of the returning officer in case the candidates shall not agree on a day."

Mr. *John Campbell* said, the returning officer ought not to be controlled by the candidates. The elections ought to begin forthwith, or on a specific day to be named in the Bill.

Mr. *Wilks* said, it was well known, that in certain boroughs, the elections ought to begin forthwith, from the time of nomination, to prevent the political predilections of Mayors and Corporations influencing the elections. He wished the time, therefore, to be left to the candidates, who had a mutual interest to prevent expense and disorder.

Mr. *Hunt* said, they must have time to erect booths where there were many voters, and no building appropriated for that purpose.

Amendment agreed to.

On that part of the clause which provides that the polling "shall continue for two days only, that is to say, for hours on the first day of polling, and for hours on the second day,"

The first question was, that the first blank be filled up by the word seven.

Mr. *Cutlar Fergusson* objected, that seven hours were too short a time to enable the contesting parties to arrive at a satisfactory conclusion. Courts at law sat for a longer period, and even that House usually devoted more hours than seven to business.

Lord *Althorp* replied, that this number of hours had been appointed in order to prevent the polls being kept open at an unseasonable and inconvenient time in winter, when nightfall would necessarily interfere with the progress of business.

Mr. Alderman *Waithman* said, that in the City of London they had, by the present system, polled 8,600 voters in six days, and he thought they could, by the divisions and polling places to be provided, terminate their elections within the two days now allowed.

Sir *Charles Wetherell* took the present opportunity of inquiring from the worthy Alderman, how his constituents, the Livery of London, for whom he had a high respect, liked that addition to the whole Bill, by which renters of rooms, lodgers and warehouse-keepers, were let in among them. He was afraid, that the worthy Alderman and his constituents, did not approve of that addition, and that they did not understand fully the nature of the Bill.

Mr. Alderman *Waithman* said, he believed he understood the Bill as well as the hon. and learned Gentleman. At all events he would not take his reading of it.

Sir *Edward Sugden* proposed, that "seven hours at least on the first day" should be inserted; and the hon. and learned Gentleman's suggestion was ultimately agreed to.

The next question was, that the second blank be filled up with the words "eight hours," for the duration of the poll on the second day.

Mr. *Hunt* begged to ask, whether it would not be better to fix the hour at which the polling should commence.

The *Attorney General* said, there was no occasion for such a provision; and it would be better certainly to fix a precise number of hours for the polling on the second day; if it were otherwise, a temptation might be held out for the returning officer to prolong or shorten the period for some purposes of his own.

Agreed to.

The Proviso was then put, "That nothing in this Bill, should prevent the closing of the poll, under any circumstances under which it may be closed at present."

Agreed to.

The clause ordered to stand part of the Bill.

The 49th clause, regulating the polling for boroughs in England and Wales at several booths, so that not more than 600 should vote at one compartment in a booth, and providing that if the booths are in different places, a deputy of the returning officer to preside at each place—was next put.

On the question, that the second part of the clause, for the erection of separate booths, be agreed to,

Colonel *Sibthorp* objected to the clause, as separating the candidate from the electors. He would rather meet his constituents face to face, and hear every objection that could be urged against his conduct: on that account he trusted, that the noble Lord would submit to some modification of the clause.

Clause agreed to.

The next part, "That the Sheriff or other returning officer, may appoint a deputy where the booths are erected in different places—put.

Mr. *Hunt* complained that sufficient notice would not be given to the electors of the compartments in which they were to vote.

Lord *Althorp* thought, the clause as amended, would be sufficiently explicit in that respect.

Mr. *Hunt* was afraid some difficulty would still be found with regard to the districts of large towns.

Sir *Charles Wetherell* thought, the clause would be utterly impracticable. In a large and populous town, Manchester, for instance, where there were from 30,000 to 40,000 voters, it would be impossible for the returning officer so to divide the place into compartments of 600 voters each, so as to close the election in two days.

Mr. *Stanley* observed, that the hon. and learned Member did not seem to be aware that this impracticable plan had been already in operation during two elections. A bill was introduced by the hon. member for Worcester, and had passed, empowering the returning officer to divide large towns into compartments, with 600 voters in each, and under this arrangement the last two general elections were conducted.

Sir *Edward Sugden* said, that his hon. and learned friend was perfectly aware of the Act in question, but it was applicable to a state of things wholly different from that which would exist under this Bill. By this Bill the polling would last only two days, though the number of constituents would be greatly increased.

Sir *Charles Wetherell* said, the great objects of his remarks was, to endeavour to save time and expense at elections, and therefore, to demonstrate that the noble Lord's plan was impracticable, and would only lead to confusion, The Act the hon. Gentleman had quoted he was perfectly aware of, which was only fit to be applied to Oxford or Worcester, for which places it was intended. Its provisions would wholly fail in the extraordinary geographical boroughs they were about to make.

Mr. *Hunt* was of opinion that the classing parishes in different booths would tend to confuse the electors, who would not know where they should go to vote.

Mr. *Wilks* thought, that in small boroughs the division of booths was unnecessary and inconvenient.

Mr. *Strickland* suggested, as a means of saving expense, that instead of enacting that the returning officer, at the final close of the poll, shall keep the poll-books unopened till the following day, and then declare the state of the poll, it should be "as soon as conveniently may be."

Lord *Althorp* adopted the suggestion of the hon. Member, so far as to add at the end of the clause the words "provided always that the returning officer or his legal deputy may, if he think fit, declare the final state of the poll, and make his return, immediately after the poll is finished."

The proviso was added to the clause.

On the question being put, "that the clause, as amended, stand part of the Bill."

Mr. *Wilks* suggested, that the clause should not be applied to boroughs where there were not 1,000 electors.

Lord *Althorp* said, such a limitation would not be convenient.

Mr. *Robert Gordon* proposed the following addition to the clause;—"Provided always that no nomination or election of a Member to serve in Parliament shall be held in any church or chapel or other place of public worship."

Sir *Edward Sugden* fully concurred with the Amendment proposed by the hon. Member.

Mr. *Croker* concurred in the proposition, though he thought it unnecessary, as the practice was even now illegal.

Mr. *William Peel* supported the Amendment, which was agreed to.

The clause, as amended, to stand part of the Bill.

On the question being put on clause 50,

Mr. *Hughes Hughes* moved as an Amendment in the first part of the clause, that "all booths to be built for the convenience of taking polls shall be erected by the Sheriff or other returning officer, at the expense of the county, city, town, or borough, requiring the same; and the same shall remain the property of such county, city, town, or borough." His object in this was, to diminish the expense of elections, which was the professed object of the Bill.

Sir *Edward Sugden* would oppose the Amendment of the hon. Gentleman. He was ready to admit it had one advantage, if advantage it could be called, it seemed to offer a premium to strangers to obtrude themselves as candidates, where they were not known, at the expense of the county rates. If they desired the poor man to pay for the ambitious desires of the rich, they would agree to the Amendment.

Lord *Althorp* observed, that if this proposition were adopted, it would be necessary to empower the counties, cities, towns, and boroughs, to raise a tax to defray the expense of booths. He thought it not unreasonable to lay the expense on candidates.

Mr. *Croker* remarked, that it was a most extraordinary proposal that the booths should be the property of the returning officers. He supposed this was what the hon. Member would call a mare's (Mayor's) nest.

Mr. *Cresset Pelham* said, it would be

much better to dispense with the Assistant Barristers, and appropriate the funds which were to pay these learned gentlemen, to the erection of polling booths

Captain *Spencer* begged to ask, if houses might not be employed to take voters in as well as booths.

Lord *John Russell* said, there was nothing in the Bill to prevent that being done, if it was found more convenient.

Amendment withdrawn, and clause agreed to.

Clauses 51 and 52 were agreed to.

On the question being put on clause 53,

Lord *Granville Somerset* intimated, that it was his intention to move that a new district of boroughs be formed in the county of Monmouth, for the purpose of sending one Member to Parliament.

Lord *John Russell* suggested that this was not the proper moment for this Amendment. The noble Lord could bring it forward at a future stage, and if it were adopted, the clause should be altered accordingly.

Lord *Granville Somerset* said, he should be prepared to do so to-morrow.

Mr. *James L. Knight* recommended a provision, that each voter in a contributory borough should be entitled to vote in that borough alone.

Lord *Althorp* said, a considerable disadvantage would result from such an arrangement.

The clause was carried.

Clause 54 also carried.

On the Chairman putting clause 55,

The *Attorney General* objected to including the Barrister with the Sheriff and other officers, who, by the clause, were rendered liable to actions for damages for wilfully contravening the provisions of the Act.

Mr. *Wilks* said, if the Barrister was to be excused from being liable to penalties, the Overseer of the Poor should also be exonerated.

Lord *Althorp* was inclined to concur with his hon. and learned friend, as the Barrister had no positive duty to perform but that of giving judgment, and for which, if his judgment were corrupt, he was liable to proceedings under other statutes.

Mr. *Wilks* repeated, that the returning officer and Overseer, ought to be relieved from penalties as well as the Barrister.

The *Attorney General* said, if the penalty was inserted in the Bill, he was satisfied they would not get Barristers to act.

Lord *John Russell* supported the clause, and contended that the Barrister had positive duties to perform.

Mr. *Hunt* said, the Attorney General was checking the rope just as the Bill began to run: he seemed to wish to make a distinction between lawyers and other people.

Lord *Althorp* proposed that the clause should be passed, with an understanding that it might receive some modification, should the House think proper, when it was moved to bring up the report.

The clause carried, and the two blanks left for the insertion of the *maximum* of damages were filled up each with 500*l.*

Clause 56 carried *nem. con.*

Clause 57 put. It was proposed to insert the sum of 10*l.* in the blank left for the *maximum* of fine upon any person voting at an election by means of fraudulently assuming the name of any rightful elector.

Mr. *Cresset Pelham* trusted that this clause did not supersede the former penalties for such a transgression [*cries of "no, no."*]

Mr. *Wilks* thought the fine by far too small. He should propose the sum of 50*l.*

Mr. *Hunt* would vote for even 25*l.*, but certainly he thought the fine ought to be much greater than 10*l.*

Colonel *Sibthorp* thought 50*l.* a proper amount of fine.

Lord *Althorp* wished to state, that in addition to the fine the offender would be deprived of his franchise for life.

Mr. *Hughes Hughes* suggested, that cases might occur in which the offender might not have any franchise to lose.

Mr. Wilks's proposition adopted, and the blank filled up with the words "fifty pounds."

Clauses 58 and 59 carried.

The Chairman put the question, "That clause 60 (the last clause) stand part of the Bill."

Colonel *Sibthorp* declared that he had opposed the Bill fairly and fearlessly. His side of the House was cheered by the supporters of Ministers, as if they had got through their labours. He could tell them that their labours had only commenced. He did not understand being treated with contempt. He would tell those who laughed at him, either in the House or out of the House, that he would support his opinions and vindicate himself to the last hour he had to breathe. He regretted that the Bill had passed through the Committee so soon. The Bill had passed too speedily. If his opponents were tired, he would not give up. He would never give in. He was never yet put down in that House, and never would be. He was never put down out of the House, and he defied the hon. Member opposite, who was laughing at him, to put him down. The hon. Member had supported the Bill conscientiously, and why did not the hon. Member give him credit for having opposed the Bill with equal sincerity? He prayed to God that the Bill might not pass. If the Bill did pass, which he prayed to God might never be the case, all he had to say was, in the words of that great and sublime statesman, now admired, and who, he fervently trusted, would have his memory for ever preserved in that House—"Oh, save my country and the Sovereign." He felt confident that the Bill would not pass—such a Bill never could pass.

The Chairman begged the hon. Member to give him permission to state simply what was the question before the Committee. It was, that after the words "be it enacted" the word "Treasury," &c. be inserted.

The clause put, and the Chairman saying "As many as are of this opinion, say Ay," the House resounded with cheers. "As many as are of the contrary opinion, say No." One or two voices feebly uttered "No." "I think the Ayes have it." [*loud cheers.*]

Clause agreed to.

Lord *Althorp* proposed two clauses, the first was to fulfil the suggestions of the hon. member for Bodmin, and provided that no freehold of a less value than 10*l.*, held for a life or lives, should hereafter entitle any person to vote for a county.

Clause agreed to.

Lord *Althorp* then proposed a clause relating to the appointment of Barristers to revise the list of voters.—Agreed to.

Lord *Althorp* also proposed to add a clause, to the effect that lists of the voters should be printed, and sold at a reasonable price.

Mr. *Wilks* suggested that the price should be fixed.

Clause agreed to.

Lord *Althorp* also proposed a clause providing that the Justices of the Peace in the neighbourhood of Shoreham and Cricklade should have the power of dividing those places into convenient districts, so as that the poll should be conveniently taken.—Agreed to.

Lord *Althorp* said, there now remained one clause to be disposed of—he alluded to the money clause, which related to the payment of Barristers. He could not bring that clause before the Committee until to-morrow. He should therefore move, that the Chairman do report progress, and ask leave to sit again to-morrow, and he very sincerely trusted that it would be the last time when he should be called upon to make any similar motion.

House resumed; Committee to sit again next day.

HOUSE OF COMMONS,

Wednesday, September 7, 1831.

MINUTES.] New Member. Mr. JONES took his seat for Carmarthen Borough.

Bills. Read a third time and passed; Clare County Presentments; Commissioners of Accounts (Ireland); Turnpike Tolls Regulation.

Returns ordered. On the Motion of Mr. O'CONNELL, all Moneys paid to Sir George Fitzgerald Hill during the last six years of his holding the office of Vice-Treasurer of Ireland; Copies of the Accounts furnished by him of the Moneys received during the same period; Copies of the Expenses disbursed by him during that time, together with all the Vouchers for the same, and also a Copy of the Warrant granting a Pension to the Wife of the said Sir George Fitzgerald Hill, now the Governor of St. Vincent's, together with the proceedings had upon such Warrant.

Petitions presented. By Mr. SHAW. from the Protestant Freemen of Galway, for equalizing Civil Rights in that place. By Lord KILLEEN, from Journeymen Bakers of Kavan for an Act to prohibit their Employment in the Night. By Mr. O'CONNELL, from the Inhabitants of Killarney, for the abolition of Slavery; from the Catholics of Rollstown, and Oldtown, Tubid, Tullihurton, and Whitchurch, against any further Grant to the Kildare Street Society; from the Inhabitant Householders of Southwark, against any alteration in the Beer Act; from the Inhabitants of Raheen, for the Repeal of the Union. By Sir FRANCIS BURDETT, from the Inhabitant Householders of St. Martin's-in-the-Fields, against the Select Vestries Act. By Mr. HUNT, from 300 Inhabitants of the Metropolis, for Relief to the Rev. Robert Taylor. By Lord MORPETH, from the Parishes of Burnsall, and Kerby Malhamdale, for the Commutation of Death for Offences against property. By Mr. LABOUCHERE, from the Owners of Omnibusses, against the Mileage duty.

WAR IN POLAND.] Colonel *Evans* presented a Petition from the Inhabitants of Westminster, complaining of the injury the trade of this country had sustained in its commerce with Germany, in consequence of the war carried on by Russia against the Poles. The petitioners also complained, that there was no accredited person from the British Government, resident at Warsaw, to protect the interests of British subjects; they also complained of the dreadful effects of the war which was going on, in consequence of the alarming disease which was communicated by the invading army. He was fully aware of the difficulty of the subject to which the petition referred; but, notwithstanding, he thought that something might be done to rescue those brave people from the evils which pressed upon them in consequence of the destructive war in which they were engaged. Negotiations had been now carried on for six or seven months, and it was not unreasonable to expect, that the Government of this country could make some disclosures relative to the future prospects of Poland, and the effect of the negotiations to which he had alluded. If there ever was a time when the interference of this country was called for to stop the progress of this calamitous war, it was the present. As the subject, however, would come before the House in a more formal manner, he should not at present enter into any further observations, fearing that it might be inconvenient to press the subject on the attention of the House. He would therefore merely move, that the petition be brought up.

Sir *Francis Burdett* said, he had great pleasure in seconding the motion of the hon. and gallant Member: he entirely coincided in the feelings of sympathy expressed by the hon. Member in favour of the gallant Poles. He entertained a firm belief and conviction, that the Government of this country felt deeply interested in the affairs of Poland. And he had no hesitation in expressing his opinion, that this country, in concert with the military power of France, should interfere to preserve the integrity of that unfortunate country. He thought it was high time that something should be done, by remonstrance, and for that purpose the present moment was peculiarly favourable. A reciprocity of feeling had sprung up between this country and France, which had never before existed; they were no longer jealous of each other's power, and could now enter upon a more generous rivalship, in remonstrating against the unjust aggressions of a powerful nation, which sought to oppress Poland, in violation of the treaty of 1815, which guaranteed the constitutional rights of the Poles. He knew it might be incompatible with the interests of this country to take an active part to reinstate the Poles in their rights, and re-establish the independence of Poland; but this he would say, that no cause more just ever called forth the sympathy of nations. All liberal people entertained but one opinion on the merits of this cause; and he thought it was the bounden duty of our Government to secure the execution of those treaties by which the several Governments of Europe were pledged to guarantee a constitution to Poland. Such a course was perfectly consistent with the law of nations. This was a case which excited the sympathy of generous minds; but politicians were said to have no bowels, and politicians were not prone to be sentimental. It could not be expected, that such persons should act from such motives. But there was in this instance a motive which in general had some weight with such men. It was the interest of every country to put an end to this war, and he sincerely hoped, that the subject would excite, as it deserved, the sympathy of Parliament. Of this he was quite certain, that any steps which his Majesty's Ministers might take to afford relief to the suffering Poles, would receive the unanimous approval and support of the country. He felt the warmest sympathy for that people, and hoped they would be rescued from the fangs of Russia.

Mr. *O'Connell* said, that it was from no feeling of apathy that silence had so long prevailed in that House upon the cause of the Poles. The despots of Europe found advocates in other cases—in this they had none. There was no voice raised in their favour. All nations were unanimous in reprobating the conduct of Russia. The Press was unanimous on this subject, however it might act on other occasions. In other cases he could only account for the manner in which it had been conducted, by believing that it was bribed. All concurred in one sentiment of sympathy for the sufferings of the Poles, and an anxious wish for the success of their cause. The situation of Ministers was an excuse for their not interfering. The time had, however, now arrived when all Europe should stand forth to secure the constitution to Poland which had been given to it by treaty, if it were only to protect the rest of Europe from the barbarism of her invader.

Cape of Good Hope Wines.] Mr. *Mackinnon* presented a Petition from certain Merchants trading to the Cape of Good Hope, against any alteration in the Duty on Cape Wines. The Petitioners represented, that they viewed with deep alarm the measure before the House for withdrawing, in 1834, the protection hitherto afforded to Cape Wines. They represented, that by a Proclamation of the Governor of the Cape of Good Hope, dated December 19, 1811, the merchants and cultivators of the colony were directed to the subject of the Wine-trade, as "A consideration above all others of the highest importance to its opulence and character," and were promised "The most constant support and patronage on the part of the Government, and that no means of assistance should be left unattempted, and every encouragement be given, to establish the success of the Cape commerce in this her great and native superiority." That, in dependence on the promises thus officially and solemnly given, the merchants and colonists embarked property, exceeding in amount 1,500,000*l.* sterling, in the wine trade of the colony; not conceiving it possible, after they had been stimulated to this outlay in every possible way by the colonial government, and whose promises had been ratified by the solemn legislative enactments of the Parliament House, that this pledged protection of their interests could have been withdrawn, their property thereby irretrievably ruined, and the colony plunged into deep misery by the destruction of their staple article of production. That, by the introduction of 8,000 to 10,000 pipes of Cape wine into the markets of Great Britain, the prices of foreign wines were kept down, to the manifest advantage of the consumer, and the evident increase of the revenue from foreign wines. The Cape wines, also, from their cheapness, were now consumed by a class of the community who were unable to purchase expensive wines; and it would by them be justly considered a serious grievance were they to be deprived of a cheap and wholesome beverage, to which they had now become accustomed, to the almost total disuse of ardent spirits. That the deleterious qualities ascribed to Cape wines were totally unfounded in fact, as might be proved to that honourable House, if opportunity were afforded; and they begged to represent, in confirmation of this statement, that Cape wines were drunk with much satisfaction by many Members of both Houses of Parliament, who were ready to express their approbation of their excellent qualities and cheapness. That the frequent agitation of this subject, during the last seven years, had caused a state of insecurity and alarm in the minds of all persons concerned, and which had been followed by the embarrassment and ruin of many of those who were previously opulent merchants. They represented to the House the impossibility of withdrawing the capital now embarked in the Cape wine trade, and that the inevitable effect of the contemplated measure would be, to hurl ruin on a large number of his Majesty's subjects, who had embarked in the trade upwards of one million and a half of capital, to which they were solely induced by the pledged faith of his Majesty's Representative, and solemn Acts of Parliament; and they were prepared to prove, if afforded an opportunity, that the ruinous consequences herein predicted would be followed even by a considerable injury to the revenue of this kingdom. They, therefore, prayed the House to give them an opportunity to prove the statements contained in this petition, and that the House would pause before passing a measure which would hurl destruction on thousands of his Majesty's loyal subjects, and prove the grossest breach of good faith ever inflicted on a colony.

Mr. *George Robinson* expressed his entire concurrence in the prayer of the petition.

To be printed.

REFORM (IRELAND).] Mr. *Shaw* presented a Petition from the Roman Catholic Freemen of Galway, against a Clause in the Irish Reform Bill. He must consider the whole measure to be a reckless violation of vested rights, but he was greatly at a loss to know why any distinction should be made between English and Irish freemen; the former were to preserve their rights, the latter to be deprived of their's.

Mr. *O'Connell* said, the hon. Member did not appear to know, that the Irish Bill was all enfranchisement; it did not disfranchise a single borough. It was a little curious to see persons who had hitherto been the advocates of exclusive measures, now suddenly turn round and admit the existence of rights which they had formerly contested.

Petition to be printed.

YEOMANRY (IRELAND).] Lord *Killeen* presented a Petition from the inhabitants of the Parish of Navan, in the county of Meath, praying that the Yeomanry might be disarmed. He agreed with the prayer of the petition, which stated, that the Yeomanry instead of protecting the people, committed all sorts of outrages. He hoped all the corps would be gradually abolished, although he was free to admit that some of them were well disciplined, and did not deserve the censure which had been heaped indiscriminately upon them.

Mr. *Henry Grattan* supported the prayer of the petition. He was convinced that tranquillity could never be thoroughly established in Ireland, until the Yeomanry were wholly disarmed, and the whole body abolished. They were exclusively party corps, in the strongest sense of these words.

Mr. *Blackney* said, the Yeomanry were the great cause of dissatisfaction in the county of Carlow.

Colonel *Perceval* said, the Yeomanry were never called out but in cases of necessity, it was a passive force.

Sir *Francis Burdett* said, it was ridiculous to attempt to keep the peace of a country by the aid of a force which was in itself obnoxious. If a force was necessary, let it be a regular body, under proper discipline, and not a local body imbued with party feeling. He regretted that Irish Members should provoke incidental discussions of this character, which could lead to no practical result, and protested against the practice, particularly when, from the nature of other business it was obvious they could not give that full and undivided attention to Irish affairs which their importance well deserved.

Mr. *Shaw* said, the Government would be deceived and overthrown if it depended on the assistance of those persons who desired to abolish the Yeomanry corps.

Colonel *Perceval* begged to take that opportunity of putting a question to the right hon. Gentleman, the Secretary for Ireland. He wished to ask, whether Government intended to adhere to that clause in the bill for establishing Lord-lieutenants of counties in Ireland, which made it imperative on the persons so appointed to reside within the respective counties?

Mr. *Stanley* in reply to the question of the hon. Member answered that it was understood that either a resident nobleman or the son of a nobleman who was resident, should be appointed Lord-lieutenant of each county. At the same time, it was not considered necessary that he must actually be resident in the county: he might reside in the adjacent one, provided he had property within the one to which he was appointed.

Petition to be printed.

TITHES (IRELAND).] Mr. O'Connell presented a Petition from Raheen, in the Queen's county, against compelling Catholics to support the Protestant Church, and praying for the abolition of Tithes.

Mr. *James E. Gordon* would avail himself of that opportunity to call the attention of the House to a challenge given him by the hon. and learned member for Kerry, to produce the original of a document which, on a former occasion, he had described as a command from a Parish Priest to a pound-keeper, to release two cows which he had impounded, and which were the property of a Roman Catholic of Clare. He did not wish to retain the character of an honest man, nor to receive credit for his assertions one moment longer than he was able to verify all the statements he made in that House. He had written to Ireland for the original document, and he now produced it. It was an exact counterpart of the paper he had read on the former occasion, and he would, to convince the House read the document, it was as follows.

"Patrick Donelly, give the bearer, John O'Loughlin, his two cows, impounded by the notorious bible-ranting Synge of Carhue, on account of the rent due to his landlord. But I believe the poor fellows stock was seized because he would not permit the infernal fiend, the devil, to seize the little ones with which God blessed him. I promise you that O' Loughlin will deliver up to you the cows on the day of auction. "JOHN MURPHY."

Mr. *O'Connell* said, there was a great difference between the document, as read by the hon. member for Dundalk on the former occasion, and that which was now produced. When the document was read on the former occasion, it appeared to be a mere command from the Priest to the pound-keeper to release the two cows, but the hon. Member now read additional words, which made the document a good legal promise. These words were, "I promise that O'Loughlin will deliver up the cows on the day of the sale." He admitted the letter was not in good taste but the addition of these words made all the difference in the world in the nature of the document, and he congratulated the hon. Member on this confirmation ofhis original statement.

Mr. *James E. Gordon* said, that on the former occasion he had read the whole of the document, but it was open to any one to see the document which he then produced, and which, he repeated, exactly corresponded with that now produced.

PARLIAMENTARY REFORM—BILL FOR ENGLAND — COMMITTEE — FORTIETH DAY.] Lord Althorp moved the Order of the Day for the House resolving itself into a Committee on the Reform of Parliament (England) Bill.

The Speaker having left the Chair,

Lord *Althorp* moved a clause to the effect that the Barristers employed in deciding on the claims of voters be paid at the rate of 5*l.* per day, over and above their travelling expenses, for every day during which they should be so employed, and that before the last day of their sitting, they should make out an account of the time they had been employed and the expenses incurred.

Mr. *John Campbell* said, that pounds were wholly unknown in Westminster Hall. He thought the alteration from guineas to pounds would excite an insurrection amongst all the members of the Bar; he therefore begged to substitute the word "guineas."

Lord *Althorp* said, that he had proposed pounds because the present gold coin was a sovereign, but, as the prejudice was so very strong in favour of guineas, he had no objection to the alteration.

An *Hon. Member* said, that if guineas, had not been already abolished in Westminster Hall, it was high time that they now were, he knew no more appropriate time at which to commence that alteration than with the Reform Bill.

Clause agreed to, "five guineas" having been inserted instead of "pounds."

Lord *Granville Somerset* then rose to bring forward the Motion of which he had given notice, that a new district of boroughs be formed in the county of Monmouth, for the purpose of sending one Representative to Parliament. He considered that the county of Monmouth had a fair claim to an addition to the number of Members representing it, on various grounds. The district of towns, of which Monmouth was the centre, contained a large population, and was extensively engaged in the coal and iron trade. Newport, except Sunderland and Newcastle, exported more coal than any port of the Empire. The county of Monmouth was not sufficiently represented by this Bill. Taking the population of three northern counties, with which Members of the Cabinet were connected—the counties of Northumberland, Cumberland, and Durham—he found that there was one Member to every 19,400 persons; but taking the population of the three counties of Monmouth, Glamorganshire, and Brecknockshire, the proportion was only one Member to every 24,000 inhabitants. He found, too, that in Durham there was one Member, for every 3,074*l.* paid of assessed taxes, whereas in Monmouth there was only one for every 4,971*l.*; similar proportions held good as to the other counties he had contrasted. The three counties, the cause of which he advocated therefore, were under-represented. Taking the whole number of Members, both for the boroughs and the counties, he found that Durham would have one Member for every 12,000 persons; Northumberland one for every 10,430; and Cumberland one for every 10,134; while in Monmouth the proportion was nothing like so favourable. He proposed, to remedy this glaring partiality, that two new districts of boroughs should be created in Monmouthshire, one to consist of Newport, Abergavenny, and Pontypool, and the other of the towns of Monmouth, Chepstow, and Usk. The latter would have a constituency of 600 10*l.* householders, which was considerably more than some of the new boroughs which were to send one Member. Taking into consideration the other principle referred to in the course of the discussions on the Bill—namely, the amount of contribution to the assessed taxes, he found that the district of boroughs which he proposed should send one Member contributed 3,303*l.* per annum to the assessed taxes, whilst many of the new boroughs which were to send one Member, contributed under 2,000*l.* per annum. With regard to population, to constituency, and to the amount of contribution to assessed taxes, Monmouthshire was under represented. He thought it is duty to bring this case under the consideration of his Majesty's Ministers; and as it was the last application of this kind that would probably be brought forward, he hoped his Majesty's Ministers would not feel it necessary to give it that stern opposition which they had given to similar propositions in the earlier stages of the Reform Bill. He would on that occasion propose to form one district, and if he succeeded he would then move to constitute a second district of boroughs. The noble Lord concluded by moving, that the towns of Monmouth, Chepstow, and Usk, should be considered as one borough, and return one Member, and that the Mayor of Monmouth should be the returning officer.

Lord *John Russell* rose to oppose the Motion. In arranging this system of Representation, his Majesty's Ministers did not affect to have settled the just proportion between the population and the number of Members in every case, though the population altogether was more fairly and equally represented than before. If an addition was made to the Representation, he could assure the noble Lord that greater irregularities might be pointed out than that of Monmouth. Monmouth had a proportion of one Member to 23,000 or 24,000 persons, whilst Derbyshire had only one Member to 35,000 souls, and Lancashire only one Member to every 47,000 or 48,000 persons. Again, Carnarvon and Denbigh had only two Members, whilst Monmouth had three. If his Majesty's Government were inclined to increase the total number of Members, therefore, he could not admit that Monmouth would be entitled to an addition. Under all the circumstances, he felt himself bound to vote against the Motion.

Lord *Granville Somerset* said, when he looked into the Bill, and at the proportion he had already established, as to the relative Members and population of the different counties, he thought it was impossible to deny that an advantage was given to those counties in which the Cabinet Ministers had influence.

Lord *John Russell* said, that charge certainly could not be made out, Lancashire and Yorkshire were very ill treated and yet members of the Cabinet were connected with these counties. Bedford had the largest population of any English county left with only two Members, which he thought a fortunate circumstance, but it was said, why leave Aberdeen and Perth with one Member while Bedford had two? so that Ministers were taunted with the ancient anomalies of the system of Representation, which their measure went partly to correct. Their opponents condemned them both for going too far, and for not going far enough.

Motion negatived without a division.

Lord *Granville Somerset* in order to put his opinions upon record would also propose that Abergavenny, Newport and, Pontypool should be formed into a borough and return one Member.

Motion negatived without a division.

Lord *Granville Somerset* then moved that the two districts, included in the preceding motions, comprehending the towns of Abergavenny, Monmouth, Chepstow, Newport, Usk, and Pontypool, should be formed into one borough, and return two Members.

Motion negatived without observation.

Mr. *Hunt* moved, that "The Sessional Order relating to the interference of Peers in elections" should be read. The hon. Member then said, there could be no hon. Member ignorant that the Order was constantly violated, and that it was a mere nullity; Peers constantly interfered in elections of all sorts throughout the country. There was the recent case of the Marquis of Salisbury turning his tenants out because they had not voted to please him. The Duke of Newcastle and Marquis of Exeter had done the same; indeed, the Resolution appeared to be thought so little of in practice, that in the late case of the Marquis of Anglesey it was carried by a large majority of the House, that it was in effect justifiable. He desired to confine the Crown within its prerogatives, and the peerage within their privileges, which were quite large enough, and if they knew their own interest they would be content without interfering with the privileges of the Commons. He therefore begged leave to move, "that from and after the 31st day of December, 1831, if any Lord of Parliament, or other Peer or Prelate, shall be guilty of the crime of interfering, either directly or indirectly, in the election of any Member to sit and serve in the Commons' House of Parliament, such Peer shall, for such unlawful interference, be adjudged, upon conviction, to pay a fine to the State of 10,000*l.*, and be imprisoned in the Tower for the space of one year; and if any Peer be convicted a second time of a similar crime, he shall be adjudged to pay a fine to the State of 20,000*l.*, and be imprisoned in his Majesty's gaol of Newgate for the space of two years; and if any Peer shall be convicted a third time of a similar crime, such Peer shall be degraded from the peerage, his title shall become extinct, and the culprit shall be transported beyond the seas for his natural life." Hon. Members might think that the word "culprit," which he had employed, was too harsh, but he considered that he was justified in fastening it upon the man who had been convicted of an offence three times. He recommended hon. Gentlemen to look at the penalties attached to poaching, and he thought there was no comparison in the nature of the offence.

On the question that the clause be brought up,

Lord *John Russell* said, there was no law or resolution of the House which could prevent the indirect interference of Peers at contested elections—that the clause proposed was more monstrous and unjust than any resolution that had ever before been submitted to the consideration of the House; and was, besides, totally different from the resolution which had been read by Mr. Speaker at the beginning of the Session. He should, therefore, have no hesitation in negativing the hon. Member's Motion that it be brought up.

Colonel *Sibthorp* said, he should take the present opportunity to complain of a contemptuous report of a speech of his in the Committee yesterday, which had appeared in one of the morning newspapers of that day. The report to which he alluded was interspersed with laughter, and other expressions of derision, which he flatly denied had been used. He considered he had the more reason to complain, as this report had been inserted in a journal of the highest respectability—he meant *The Times*—and it was, therefore, only an act of duty to the House and to himself to contradict so gross and unwarrantable a statement.

Mr. *Hudson Gurney* must say, that the dignity of the House would necessarily be lowered by the truckling spirit which they had latterly exhibited towards the daily press, which for some time past had habitually been publishing lists of the Members who were absent, as well as of those who were present, specifying who voted one way, and who voted another; and, in short, now exercised a degree of despotism incompatible with the independence of Members and the privileges of Parliament.

Mr. *Cresset Pelham*, in reference to the question immediately before the House, thought, that if a case of interference should be clearly proved, the resolution already on the Journals would be quite sufficient to meet it. The hon. member for Preston had made statements with regard to the interference of Peers which, if proved at the bar of the House, would vitiate the return. He had been a member of a Committee, of which the late Mr. Fox had been Chairman, before which it was admitted, that Lord Mulgrave had written a letter in favour of one of the candidates, and he was held justified in doing so, because that gentleman was his relative.

Sir *Edward Sugden* complained of the jealous and hostile disposition which had been latterly manifested towards the peerage, and of the desire to subvert the just privileges to which they were entitled by the letter and spirit of the Constitution. This feeling assumed different forms, sometimes appearing in the shape of threats, and sometimes under the guise of "friendly advice," but exhibited the self-same enmity take what colour it might.

Lord *John Russell* disclaimed having perceived any such symptoms as the hon. and learned Gentleman professed to have discovered.

Mr. *Hume* insisted, that bad as the proceedings of that House had unquestionably been for a long series of years, they would have proved much worse but for the salutary control and unwearied vigilance of the public press, to which, in his opinion, they could never be sufficiently thankful. It was most desirable that the mode in which Members voted should be accurately made known to their constituents, and the system by which that was so well accomplished he trusted would never be departed from.

Mr. *Hunt* briefly replied. He had always considered the influence of Peers at elections one of the greatest evils in the system of Representation, and it would not be effectually eradicated by the Reform Bill. He had not brought on his Motion with any intention to give offence, but to support a just and recognized principle.

Motion negatived without a division.

The preamble read by the Chairman.

Mr. *Cressett Pelham* said, the preamble ought to have alluded to the overthrow of vested rights which had hitherto been held sacred.

Preamble agreed to.

Lord *John Russell* moved, that the Chairman do report the Bill, with its Amendments, to the House.—Motion carried with loud cheers. The House resumed.

Mr. *Bernal* brought up the report, which was received, ordered to be printed, and to be taken into further consideration on the ensuing Tuesday.

WINE DUTIES.] Lord Althorp moved, that the House should resolve itself into a Committee on the Wine Duties Bill.

Mr. *George Robinson* said, he should defer to another opportunity his intended refutation of certain charges which had been made against him personally, with reference to his conduct in opposing this Bill. He had conscientiously opposed it all along, on the ground that it was a direct departure from the principles which had hitherto regulated the export trade of this country. The hon. Member added, that there had been no opportunity of fully discussing the subject, and he was determined to oppose the future progress of the Bill unless that opportunity should be given.

Mr. *Hume* regretted, that an opportunity had not been afforded to discuss so important a measure as this. He thought that, as respected the arrangement of duties on French and Portuguese wines, his Majesty's Ministers ought to be supported; and so far he differed from the hon. member for Worcester. It was the policy of this country to form commercial relations with France. Indeed, such a course of proceeding would prove advantageous to both countries. He doubted, however, by raising the duty on Port wines, whether the revenue would be increased in proportion; and he should have preferred seeing the duty on French wines lowered, in order to get rid of the difference between the duties imposed on them and Portuguese wines, which was the object of increasing the duties on the latter. In whatever arrangement was made, he hoped and trusted that the compact between the merchants of the Cape of Good Hope and Government would not be departed from.

Mr. *Keith Douglas* begged the noble Lord, to state what advantages Cape wines would have, by his proposed plan, over what they had at present. The existing duty was 2*s*. 5*d*. per gallon, and the prospective duty would gradually raise it to 3*s*.

Lord *Althorp* said, that according to the present arrangement, the advantages given to the manufacturers of Cape wine were similar to those which had been granted them by the agreement which Government had come to with the merchants engaged in commercial transactions with the colony. He had never stated that Cape wine was to have any advantage beyond what had already been given it in the Bill. It now paid 2*s*. 5*d*., and in 1833 the duty would be increased to 3*s*. giving it an advantage over the present duty on Portuguese wines of 1*s*. 10*d*. per gallon. As he proposed to raise the duties on Portuguese wines to 5*s*. 6*d*., the difference would be 2*s*. 6*d*. which was rather more than the existing difference.

Mr. *Courtenay* would enter into the subject at a future stage.

The House then resolved itself into a Committee. The blanks of the Bill were filled up, and some verbal Amendments were made.

Lord *Althorp* explained, in answer to a question from Mr. Hume, that he meant to raise the duty on Cape wine 4*d*., because the duty on Portuguese wines had been raised 8*d*.

Mr. *Hume* complained, that the understanding between the merchants trading to that colony, and Government, made in 1824, had been departed from. It was then understood that the duty on Cape wine should be fixed at 2*s*. 5*d*. per gallon; capital was embarked in the transactions on that faith; but now the duty was to be 2*s*. 9*d*., and increased two years hence. He must condemn such a species of taxation as impolitic, and he could not help declaring, that it was a complete departure from that solemn compact, entered into by a preceding Government and the merchants whose capital was employed in this trade. This departure from that engagement would, he was fully persuaded, have the effect of ruining thousands of individuals. It would shake the confidence of persons engaged in commercial transactions. He called upon the noble Lord, before he signed the death-warrant of public confidence, as respected colonial affairs, to pause and reconsider the plan. He had understood that the noble Lord had abandoned all intention of altering the duties on Cape wines, but it appeared that he was mistaken. He, however, hoped, before so dangerous an enterprise as this was undertaken, the measure would be maturely considered. Acts of Parliament and proclamations were not to be trifled with; and if the noble Lord would only postpone this measure, he would prove, that millions of dollars had been advanced by merchants, on the faith that the arrangement would not be departed from. Persons acquainted with the subject of raising wines, and the process of wine-making, know well how long a time it was before any beneficial return was made to the capital advanced. In consequence, however, of the encouragement held out by Government, capital to a large extent had been expended in the colony; and now, as these vineyards were about to yield their produce, so as to afford a fair profit for the outlay, in stepped his Majesty's Chancellor of the Exchequer, and, by this measure, deprived the merchant of his profit. Did the Committee forget how much of the colonial expenditure of the country was borne by the payment of these very duties? How was it possible that these taxes could be paid by the colony, if the trade was, as he contended it would be, thus destroyed? The Governor of the colony had an arbitrary power, the people had no Representation, and now this measure would prove ruinous to their commerce. He would entreat the noble Lord not to violate the contract by pressing forward his Bill. He begged of him to pause, and let it go to a Committee above stairs, when he would prove, to the satisfaction of the noble Lord, the satisfaction of the Vice-President of the Board of Trade, and to the whole House, that the compact which had been made ought not to be departed from, and that many persons had engaged in the commercial transactions of the colony, on the faith which they entertained that Government would not shrink from fulfilling the obligations entered into. If the noble Lord, the Chancellor of the Exchequer, pursued his plan, he would ruin many thousands of persons, and, instead of increasing the revenue, he would diminish it, besides fixing the burthens of the colony upon the British public. He had no interest whatever in the proceeding, but he would not allow this act of injustice, this violation of a solemn compact, to pass without expressing his opinions. With respect to the arrangement of the duties on French and Portuguese wines, he entirely concurred in the view taken by the noble Lord; and it was with great sorrow that he perceived the plan laid down as to the alteration of the duties on Cape wines.

Lord *Althorp* had never listened to a more violent and unnecessary speech than that just addressed to the Committee by his hon. friend, respecting a proposition now before the Committee. His hon. friend had spoken of the violation of a solemn compact made between Government and the merchants of the colony. What was this compact? That the duties on Cape wine should be 2*s*. 5*d*. a gallon, that being an advantage to the manufacturers of that species of wine over the Portuguese merchant; and it was now proposed to raise this duty in the proportion of the increased duty to be laid on port wine. The protection at present afforded to Cape wine was 2*s*. 5*d*. a gallon, and that protection would be raised, by the increased duty on Portuguese wines, to 2*s*. 9*d*., and this was to ruin the merchants of the colony. This was, according to his hon. friend's view, to destroy the hopes of the grower, to shake public confidence, and involve the whole country in ruin and distress. He really would appeal to the Committee, whether any such injury could possibly arise to the persons engaged in the commercial transactions with that colony; and he felt still stronger assurance that the measure could not have the effect which his hon. friend seemed to think as to the general distress of the colony, or the destruction of all commercial confidence.

Mr. *Keith Douglas* said, that in his opinion the proposed measure would have a most injurious effect, and it would not increase the revenue. There were many persons who were enabled to pay their 1*s*. 6*d*. or 2*s*. a bottle for Cape wine, who could not afford to drink more costly wines; and these individuals would be thus cut off from the indulgence of what to them was, probably, deemed a luxury. There ought not to have been the least deviation from the compact which had been so frequently alluded to in the course of the discussion on this Bill.

Mr. *Courtenay* said, that the proposition of the noble Lord was strictly in accordance with the engagement entered into by the Government on the one hand, and the merchants on the other, which was, that the wines of the Cape of Good Hope were only to pay half the duty imposed on those of Portugal. When the duty on the wines of Portugal was 4*s*. 10*d*., Cape wines paid 2*s*. 5*d*.; and now that the former was to be raised to 5*s*. 6*d*. the latter was to be increased to 2*s*. 9*d*. The advantage which the merchants were to have by the compact was continued by this plan, as the duties were proportional, He did not agree in the proposition for a prospective increase of the duties and if no other Member did, he would, at the proper time, oppose it.

Lord *Althorp* expected from the right hon. Gentleman's candour nothing less than what he had just asserted. Although he differed from the right hon. Gentleman on many points, he had always found him extremely candid in the communications which they had necessarily had together.

Mr. Alderman *Venables* wished to know if the prospective arrangement of 1833 was intended to be permanent.

Lord *Althorp* said, it would be subject to future regulation.

Mr. *Hume* said, that notwithstanding what the noble Lord had stated, he considered that the compact had not been kept. He would not detain the Committee by now expatiating upon the subject, but he should certainly, when the report was brought up, take an opportunity of entering at length into his objections, and on that occasion would take the sense of the House. He believed he should be able to show, that increasing the duties on Cape wine was a highly injurious measure.

Mr. *Stuart Wortley* thought that the mode of laying on the duty would be injurious to commercial credit, for the uncertainty as to what was to be done had created great difficulty and embarrassment since February last in those connected with that trade. He thought the change altogether uncalled for, particularly after the encouragement given to the cultivation of Cape wine in the first instance.

Mr. *Poulett Thomson* denied that the proposed regulations had created any uncertainty. It was known, that no increase beyond half the duty of the wines of Portugal could take place for two years.

Mr. *Hume* contended, that any proposed alteration in the value of the article, even at the end of two years, must occasion an unsettled state of the trade.

Mr. *Stuart Wortley* begged the noble Lord's attention to the wording of the clause: if passed as it now stood, no duty could be claimed under it.

Lord *Althorp* would have an alteration made, as he saw the force of the hon. Gentleman's remark.

Mr. *Hume* regretted the hon. Gentleman had noticed it: he had hoped the error would have passed unnoticed, and thus no duty would have been paid under it.

The clause was agreed to.

On the question that the preamble be agreed to,

Mr. *Keith Douglas* said, the wording was very indistinct; he feared it would have the effect of raising the duty to 3*s*. 4*d*. instead of 2*s*. 9*d*.

Lord *Althorp* said, he could not conceive that there could be any such meaning attached to the words as the hon. Gentleman apprehended.

Mr. *Hume* believed it was the general understanding, that in making an immediate alteration of 4*d*. in the duty, the increase to 3*s*. was to be postponed.

Mr. *George Robinson* said, he approved of the noble Lord's proposition. He was one of those, and he believed the Government went with him, who wished to discourage the cultivation of wines at the Cape altogether. But the system of Government appeared to be, to induce the people to buy up low-priced French wines, and import them at a high price, instead of the good wholesome Cape wines, which might be had cheap. The operations of Government had destroyed all confidence in commercial transactions with regard to our foreign transactions, but he had full confidence in their integrity. His hon. friend, the member for Middlesex, was most inconsistent, for he now pretended to be a friend to the Colonies, after supporting the questions relative to the Baltic timber, the Silk-trade, and the Canada question.

Mr. *Hume* said, his hon. friend had endeavoured to draw a parallel between the present case and that of the timber duties, when the fact was, that when Government wished to reduce the former scale of duties, his hon. friend opposed, and beat them. It was now proposed to increase duties, which wholly destroyed the similarity of the cases. The hon. Member and his friends had joined with those with whom they differed on almost all other questions, in raising the opposition, which could only have the effect of making the people pay dearer for the timber they consumed than they ought to pay.

Sir *Richard Vyvyan* was surprised at the error of the hon. member for Middlesex, for originally the questions were the same in both instances. In both it was the intention of Government to raise the duty upon colonial productions. They found it expedient to modify their intention in making Canada timber dearer, but they had not abandoned the intention of laying an indirect burthen upon that country, and the hon. Member was very wrong if he supposed that a reduction in the duties of Baltic timber was not a question affecting our North American Colonies. He was surprised, however, at the hon. Member defending the principle of Colonial preference (the doctrine had hitherto been "purchase in the cheapest markets"); the same principle he had exhibited on this question, might make him an advocate for the Corn-laws in due season. To turn to his hon. friend, the member for Worcester, he was a little at a loss, after he had disapproved of the conduct of the Government on all matters relating to foreign and Colonial policy and finance, to find him stating that he had confidence in the integrity of the Ministers, as far as our domestic affairs were concerned. Perhaps his hon. friend meant to confine his remarks to the Reform Bill. He was of opinion, respecting the question immediately before the Committee, that to increase the duties on Portuguese wines, would be injurious to the best interests of the country, for our exports to Portugal exceeded those to France. The French would not admit our manufactures—we, therefore, sacrificed the certainty of an existing trade to Portugal, under the delusive hope of an increase on the other side. If Government continued to trifle with and disquiet each Colony in its turn, our colonies would cease to regard the Legislature with confidence and kindness, and they had hitherto stood by us through all reports, evil and good.

Mr. *Hume* said, the hon. Baronet had accused him of inconsistency—his course had always been, to advocate the removal of all prohibitions and to lower all high duties, and he defied the hon. Baronet to find an example to the contrary.

Mr. *Burge* said, the instant Government induced persons to settle in colonies, those persons had a right to its protection, and more particularly they had a right to this when relying on the faith extended to them by public Acts. They had laid out considerable sums in improvements. But it now appeared that other systems were to be established, and, forgetting all that we had hitherto done, we had suddenly become enamoured of foreign principles of Government and trade, to which our old opinions were to be sacrificed. British interests had became a secondary consideration, and were made to give way to foreign ideas. We gave up our most ancient allies, and all the principles which should regulate our commercial intercourse, our good faith, with the rest. He regarded the present as a flagrant instance of this new theory, both as regarded the protection due from the parent State to the colony, and the express Acts of the Legislature, which had exempted the wines of the Cape from the duty which it was now proposed to fix upon them. Persons had been encouraged to invest their capital in trade, and now their securities for a return were destroyed. He should on those grounds, oppose the Bill on all occasions, and to the utmost extent of his power.

Mr. *Warre* said, the subject had been completely exhausted in the former debate, all the objections that had been urged had been replied to. It was of no use to attempt again to revive them.

Mr. *Briscoe* firmly believed, that it was illegal to increase the duty on Cape wines. The Act Geo. 4th had declared, that up to January, 1833 the duty should remain at 2*s.* 2*d.* per gallon, and if that was now repealed or modified, many persons who had embarked large sums on the faith of it would be utterly ruined. They would be unable to sell one pipe of wine. He had also great doubts whether the proposed alteration would benefit the revenue. He would merely state, that in 1825, when the duties on French wines were 6*s.* Portuguese and others 4*s.*, and Cape 2*s.* per gallon, the total quantity imported was seven millions of gallons. In the following year the duties were increased on French wines to 7*s.* 3*d.*, Portuguese and others 4*s.* 10*d.*, and Cape 2*s.* 5*d.* and the result was, that the consumption decreased more than a million of gallons, and the duty fell off one-third. The habits of the people must also be considered; French wines were not in general repute.

Mr. *Poulett Thomson* said, the hon. Gentleman had unfortunately made a small mistake; the measures had been increased from the common gallon to the imperial in 1826: the duties and quantities remained the same, the difference was in the measure.

Mr. *Robert Gordon* said, as the hon. member for Surrey had declared there was a provision in the Act of Parliament that the duty on Cape wines should not be increased for two years—he begged to be informed if that was the case.

Mr. *Poulett Thomson* did not deny it.

Mr. *Robert Gordon:* then it seemed they were called on to legislate in opposition to an Act of Parliament. That would be regarded as a proof of what was already more than hinted in the Colonies—namely, that the present Government was hostile to Colonial interests.

Lord *Althorp:* the duty, as arranged by the Act alluded to, was to be half the sum on Cape wines, that was imposed on Spanish and Portuguese wines. These duties were 2*s.* 5*d.* for the first, and 4*s.* 10*d.* for the latter. The duty on other wines it was now proposed to increase, and therefore he could not see that there was any breach of contract or of faith in raising the Cape wines in proportion to the rise in the duties on other wines, namely to 5*s.* 6*d.* and 2*s.* 9*d.* respectively.

Mr. *Briscoe* had only committed one error. His argument relating to the revenue decreasing, had not been refuted.

Mr. *Fyshe Palmer* said, no injury could be done by the alteration—the comparative difference of duties remained the same. He was quite sure, if the wine growers at the Cape paid attention to the cultivation, a much better article could be produced; but as long as such a difference was made in the duties, they could expect no better wine from that Colony.

Mr. *Hunt* said, after the explanation which had been given by the noble Lord, he was satisfied that the Colony at the Cape had no good reason to complain. The stuff generally sold as Cape wine was an abominable compound, which everybody reprobated.

Mr. *Hume* was surprised at the doctrine laid down, which seemed to imply, that an Act of Parliament that had been passed for the purpose of remaining in operation a certain number of years, specified therein, was not to be regarded as fully in force for that term, and was not to be considered as a contract solemnly entered into by the House. He should wish hon. Gentlemen to consider what they would think, if an Act of Parliament had been passed, by which they were entitled to a certain pension, if some other hon. Gentleman came forward and proposed it should be reduced? As a specific period had been fixed, it most assuredly ought to be abided by, or Parliament would break its faith.

Mr. *Maberly* differed wholly from the hon. member for Middlesex. He saw no breach of contract whatever. The case was this; when the duty on foreign wines was fixed, it was thought expedient to give the Cape wine-grower an advantage equal to one-half. They now were about to increase the duties on the wines of other countries, and they thought of raising the duty on Cape wines in the same proportion. He would ask hon. Gentlemen, if they did not consider that an equal moiety was a pretty handsome protection in favour of the Colony?

Mr. *Courtenay* was an advocate for the duty remaining as it was until the fixed time should expire. The wines had been recommended by physicians as very useful in certain diseases: this was another consideration, in addition to that of what was due to the Colonies, why these duties ought not to be hereafter increased.

Mr. Alderman *Thompson* said, the proposed increase of duty could not be justified on the plea of preserving the relative prices of all sorts of wines, because, by the proposition now before them, it was intended to destroy the proportion in which French and other foreign wines stood with regard to each other. If the whole relative proportions had been adhered to, much complaint on the part of the Cape wine-growers would have been groundless, but as that was not the case, he was opposed to any alteration until the expiration of the Act of Parliament alluded to so frequently in the course of the debate.

Mr. *Robert Gordon* said, he must recommend the hon. member for Abingdon to consult the Act by which the duties on Cape wines were fixed, and he was sure he would then acknowledge, that Parliament had no possible right to increase the duty on or before the year 1834, beyond which period the provisions of the Act did not extend. That Act did not say one word about relative proportions. It fixed certain rates of duty, to be levied for a certain time: until that time had expired the House had no right whatever to interfere.

Sir *Richard Vyvyan* said, the growers of Cape wines never could have had any other impression than that the pledges as to the duty on their productions should have reference to no other wine than the wines of Portugal; and that such was the understanding was apparent when the amount of the duty on Cape wines was considered. It was evident they looked to be charged only half the duty on Portuguese wines. The principal object, however, he had in view was, to remark upon the speech of the hon. member for Preston. That hon. Gentleman professed to be the friend and advocate of the poor, and yet he was ready to agree to a motion that would tend to place the only foreign wines they could obtain out of their reach. Instead of being of that bad quality which the hon. Gentleman had described, they had been declared, by able and professional gentlemen, to be wholesome, and very advantageous in cases of debility. As far as medical qualities went, they were equal to any other wines.

Mr. *Hunt* said, if he thought the increase of duty would trench upon the comforts of the poor, he was the last man to support the proposition; but as far as Cape wines went, he was ready again to declare, they were very bad, and if given to sick persons would only make them worse.

Preamble agreed to, and the House resumed.

NEW LONDON BRIDGE.] Lord Althorp moved that the House resolve itself into a Committee of Ways and Means.

Mr. Alderman *Wood* rose for the purpose of contradicting a report which had got into circulation, in consequence of a statement made by the hon. member for Preston, and founded on a petition from a Mr. Jeffery, that a settlement had taken place in the New London-bridge, that it was badly constructed, that the bricks were of the very worst quality, and that the day before both Sir John Rennie and Mr. Banks had been to examine the defect in a boat. He had immediately made application to these gentlemen in consequence of these assertions, and he held in his hand letters which he had received from Sir John Rennie, and Messrs. Jolliffe and Banks, in which those gentlemen stated, that they had examined the state of the London-bridge, and had found that no settlement had taken place which might not be expected in a structure of so great magnitude; that it was perfectly safe, and that the old bridge might be removed whenever convenient. Sir John Rennie also stated, that the bricks used in the construction of the bridge were perfectly sound. He also denied having been in any boat on the Thames, until that day, since the 1st of August. The statement made by the hon. Member was entirely without foundation.

Mr. *Hunt* said, the worthy Alderman had employed the very persons who had most interest in concealing the defects. Mr. Jeffery had written to Sir John Rennie stating the defects, but had received no answer. That gentleman had, therefore, no other way to make the affair public, but to bring it before that House. He had examined the bridge himself, and was convinced it was unsoundly built, and that one of the arches had sunk more than eight inches, and all the Aldermen of London might talk as much as they pleased, but they would never get their new bridge on a level again.

The House resolved itself into a

COMMITTEE OF WAYS AND MEANS.] Lord *Althorp* said, the object of that Committee was, to meet, by a vote of 8,000,000*l.* from the Consolidated Fund, a grant which had been already given to that amount by the Committee of Supply.

Mr. *Courtenay* said, that the state of the Consolidated Fund should be ascertained before that vote should be agreed to. No statement had been made relative to that fund since the 8th of February last.

Lord *Althorp* admitted that it was desirable that a statement should be made before the close of the year, as to what the financial prospects of the country were. At present he only required that sum on account.

Sir *Richard Vyvyan* said, he thought a statement should be made relative to the gold and paper currency of the country, and also of the issue of Exchequer Bills, to prevent any panic being excited in the public mind.

Lord *Althorp* said, that the proper time for the consideration of that subject would be on the renewal of the Bank Charter. Nothing which deserved the name of panic had taken place, which he attributed to the judicious conduct which had been observed with regard to the currency.

The vote agreed to.—The House resumed.

HOUSE OF COMMONS,

Thursday, September 8, 1831.

MINUTES.] The House met at eight o'clock in the morning to attend his Majesty's Coronation.

New Member. Lord INGESTRIE took his seat for Dublin City.

HOUSE OF LORDS,

Friday, September 9, 1831.

Affairs of Portugal—Explanations.] The Marquis of *Londonderry* took that opportunity to state, that in consequence of what had passed on a former day, he had felt it to be his duty to transmit the Letter which had then been mentioned, without any alteration whatever, to the Secretary of State for Foreign Affairs. He had seen Sir John Campbell, who stated, that he was ready to verify the contents of that Letter either to the Secretary of State to his Majesty's Government, or to that House. He (the Marquis of Londonderry) had therefore exonerated himself from the charge of having brought forward anonymous documents in that House; and he begged leave to say, that he was the last person who would be ready to charge any public functionary with a breach of duty upon anonymous information. He could assure their Lordships, that he would not have produced that Letter if he had not been aware that such a Letter, or something similar to it, had been forwarded to Ministers, and that his Majesty's Government had, in consequence, only eulogized and panegyrized the conduct which was described in that communication. The noble Duke opposite ought to know, that he was not a person who took pleasure in bringing forward charges against a public functionary. The noble Duke must be aware, that when he (the Marquis of Londonderry) had received certain Letters about the noble Duke himself, he had forwarded those documents to him. He had deemed it right, in justice to his own character, to state thus much.

The Duke of *Richmond* had not charged the noble Marquis with impropriety in producing anonymous information before their Lordships. The noble Marquis had a right to do so if he pleased. But what he felt was, that the noble Marquis had not acted discreetly in introducing an attack on Mr. Hoppner, who was absent, and who was likely to be so for several weeks.

The Marquis of *Londonderry* said, that the whole matter was now in the hands of Ministers, who would deal with it as they thought fit.

HOUSE OF COMMONS,

Friday, September 9, 1831.

Minutes.] New Writs issued. On the Motion of Mr. Ellice, for the County of Derby, in the room of Lord George Cavendish, now Earl of Burlington; and for the County of Forfar, in the room of the Hon. William Maule, now Lord Panmure.

Petitions presented. By Mr. Blackney, from the Inhabitants of Carlow, of all persuasions, to disarm the Yeomanry. By Mr. Pringle, from the County of Selkirk, praying that it might not be united to Peebleshire. By Mr. Wyse, from the Inhabitants of St. Nicholas, Galway, to equalize Civil Rights in that place; and from the Protestant Freemen of the same place, to the same effect.

Yeomanry (Ireland).] Mr. *Lambert* presented six Petitions from places in Wexford, praying that the Yeomanry of Ireland might be disarmed. The petitioners referred to the affray which took place at Newtownbarry, by some denominated a massacre, and by others a sad transaction, and prayed that the Government would visit with its censure the conduct of the corps which had been there employed. The Magistrate who had been sent by Government to inquire into the matter, had borne most favourable testimony to the conduct of the inhabitants of Newtownbarry. He did not ask to have the Yeomanry immediately disbanded, but the people of Ireland would not be satisfied unless measures were taken gradually to effect that, and unless the perpetrators of the outrage at Newtownbarry were punished.

Mr. *Maxwell* indignantly denied, that the affray at Newtownbarry was a massacre, and said, that the loss of life which took place on that occasion, occurred under circumstances of great provocation, one of the Yeomanry having been killed. He also denied, upon authority of statements from Ireland, what had been said respecting Mary Mulrooney, who it was affirmed, had been, when pregnant, ripped open. The hon. Member quoted several statements, to shew that such was not the fact, and expressed a hope, that after such a refutation these tales would not be repeated.

General *Archdall* said, he knew the Yeomanry to be a most exemplary body, and they had on many occasions rendered most essential service.

Mr. *Walker* must, notwithstanding the remarks of the hon. Member, contend, that the affair of Newtownbarry was a massacre, and he begged to ask the hon. Member, if he was not aware that the facts contained in the petition were proved before the Coroner; and if he was not also aware that his Majesty's Government had already declared, that the interference of the Yeomanry was wholly unnecessary?

Mr. *O'Connell* said, that the calling out of the Yeomanry was wholly unnecessary, as was proved, not only by the declaration of his Majesty's Government, but by the various documents upon which that declaration was founded, and which would be shortly in the hands of hon. Members, for he had obtained an order that they should be printed. It was wholly immaterial whether the womb of the unfortunate woman was ripped open or not, for the fact was admitted, that she was shot through the back by the miscreant Orange Yeomanry. If a military force was required, let the regular military force be employed, and not a party force like the Irish Yeomanry. The Marquis Wellesley had governed Ireland without the Yeomanry, and he did not know why the present Ministers could not accomplish the same thing. They were deeply responsible for the state of Ireland.

Mr. *Shaw* lamented the sad circumstance of Newtownbarry, but the facts of the case had been distorted and greatly exaggerated. He imputed to the hon. member for Kerry and his friends, the having misrepresented the transaction. He thought the people were to blame, though he regretted they had suffered so severely. It was most unfair and unjust to characterise the affair by such terms as butchery, massacre, and murder.

Mr. *Blackney* said, that whatever terms were used, it could not be denied that the unhappy woman had been shot, as she was endeavouring to escape,

Mr. *Maurice O'Connell* said, that it was clear from the evidence, that the aggression was on the side of the Yeomanry, and not on that of the people.

Petition laid on the Table.

Mr. *Lambert,* in moving that it be printed, said, that he was convinced that the Yeomanry force could not exist for a week consistently with the preservation of the public peace; and he believed conscientiously, that the Newtownbarry affair was as atrocious and cold-blooded a murder as ever stained the annals of any country.

Mr. *Young* thought, that the charges made against the Yeomanry and the Magistrates of Ireland were so vague that they carried their own refutation with them. If the Irish Yeomanry was disarmed, all Ireland would be united in demanding the Repeal of the Union; and the Government of this country could not then resist; but must accede to a measure which, he conceived, would be fatal to both countries.

Mr. *James E. Gordon* said, that it gave him more pain than he could well express to be obliged so frequently to lift up his protest against systematic misrepresentation, but never, while he had the honour to occupy a seat in that House, would he listen to charges of murder and massacre, brought against any body or class of individuals who stood acquitted at the bar of public justice. Why, he asked, in the name of justice, humanity, reason, and common sense, were the Yeomanry of Ireland to be held up to this House, and to the country, as the perpetrators of the foulest atrocities that disgraced human nature? Were the hon. Gentlemen who prompted and supported these petitions, ignorant of what constituted murder and massacre? If they were, he would give them a practical definition, and he would go no farther than Wexford for the illustration. The burning of the barn at Scullabogue was a massacre. The never-to-be-forgotten tragedy on Wexford-bridge was a massacre. But it was reserved for the hon. member for Kerry and his friends to maintain, that a set of men acquitted by a Grand Jury, acting on their oaths, were guilty of murder. If the definitions which he (Mr. Gordon) had given were not sufficient to point out the difference between a massacre and killing in self-defence, he should be ready with a few more against the next time that the charge was preferred. The truth was, that the Yeomanry of Ireland afforded to that country, and to the empire at large, the safest gurantee for the existence of the Union between the two countries, and there lay the head and front of their offending. As a rural armed force, distributed over the country, they not only extended a general protection to its inhabitants, but being ready to act at every point, at a moment's warning, they opposed the most impregnable barrier to the progress of a revolutionary influence of any force in that country. It was perfectly natural, then, that the hon. member for Kerry should stand forward as the denouncer of the Yeomanry of Ireland; for that hon. Member could never succeed in his objects while they continued upon their present footing.

Mr. *O'Connell* complained, that the hon. member for Dundalk should put himself forward as the only honest man in the House. He had just given, indeed, one convincing specimen of his capacity as a teacher. He had discovered what a massacre was. Why, certainly, that required a person coming from the North, and gifted with second sight. The hon. Member said, that the transaction at Scullabogue was a massacre; but the hon. Member might have stated, that many transactions of that unfortunate period (1798) were equally well deserving of the name of massacres. But the hon. Gentleman, not content with putting himself forward as the only honest man, also set himself up as the only oracle of truth in the House; and yet no other hon. Member had made more frequent and more glaring, he did not say wilful mistakes. The story of the goats and the hare was a case in point. He had heard of an ignorant fanatic, born in the wilds of Cunnemara, with an accent, the richness of which overpowered every one but the natives of that famed district, and astonished even them; who, somehow or other, acquired a pious hatred to Calvinism, and accordingly set off to convert the people of Scotland. He went from village to village preaching furiously against the doctrines of John Knox, and crying down Presbyterianism as the most damnable heresy, and repeating every calumny that had ever been uttered against it. But was this man entertained by the gentry? Did any great man take him into his house, and make him a member of his family? Was any man, or any class of the people, so blind as not to see that this man, having no talent, endeavoured to make up for its absence by an unusually large proportion of impudence? No such thing. The gentlemen of Scotland laughed at this pretended teacher of religion, as he deserved to be laughed at; the people scorned and rejected him, and Pat was obliged to carry back his brogue to his native wilds of Connaught. A successful case of this kind could only occur in Ireland. Once more he implored the hon. member for Dundalk to let that country alone. Every man who wished for the Repeal of the Union would encourage Government in keeping up the Yeomanry corps; for they bred the strongest feelings against the Government by their conduct. As long as the Government pursued that course, the mischievous agitation which the hon. member for Dundalk so much reprobated would continue to be kept up in Ireland. Distressed as Ireland was, he would pledge himself to support the Government in putting any additional burthens on that country that might be necessary to defray the expense of substituting a regular military force for the Yeomanry force now in existence. If this was not done, he feared that not a day would pass without bringing accounts of new massacres in that part of the empire. The hon. Member concluded by making some very severe observations on Mr. Gordon, whom he accused of speaking in his own praise, and of coming forward with an air of self-importance respecting the affairs of Ireland, which ill became the mere nominee for a close borough.

Mr. *Henry Grattan* was convinced, that the Yeomanry were altogether party corps, and ought to be suppressed. The hon. member for Dundalk was totally ignorant of the state of Ireland. The people of Ireland were awake, and were not to be imposed upon by any itinerant religious impostors, who sought for power by paying their addresses to the wives and daughters of other men. The Government had made a great mistake in calling out the Yeomanry.

Colonel *Rochford* thought that Ministers ought to produce the Report of Mr. Greene.

Mr. *Shaw* would be happy to see the Report produced, as he was sure that it would settle all the questions connected with that subject, and put an end to the vituperation that was now indulged in.

Mr. *James E. Gordon* rose to vindicate himself against two gross personal attacks. The hon. member for Kerry had taxed him with speaking in his own praise. He was sorry to learn, that he possessed at least one feature of identity with the hon. Member; and this discovery, he trusted, would lead him to a closer inspection of his conduct in future. The hon. member for Kerry had taunted him with sitting in that House as the nominee of a noble Lord who was proprietor of the borough of Dundalk; but he must say, that he would rather sit on these benches as the representative of any of that noble Lord's dependents than as the nominee of the hon. member for Kerry, who assumed to himself the authority of returning officer for Ireland. With respect to the hon. member for Meath (Mr. Henry Grattan), he would not detain the House by so much as a reference to the abusive language which they had just listened to. What he would say in answer to the charge of affected sanctity and superior morality should be short. If defective in either of these qualities, the last person to whom he should seek for a lesson of improvement would be the proprietor of the *Freeman's Journal*, better known to the House as the manufacturer of Coldblow Lane freeholders.

Sir *John M. Doyle* said, that all things in Ireland were so entirely absorbed by party spirit, that he wished to see an entirely English commission appointed to investigate the state of Ireland. He was convinced that it would recommend the immediate abolition of the Yeomanry.

Petition to be printed.

SUPPLY — CUSTOM-HOUSE CLERKS.] On the Order of the Day being moved for the House resolving itself into a Committee of Supply,

Lord *Granville Somerset* begged to ask the noble Lord, whether any steps had been taken to put an end to a system that prevailed at the Custom-house, of allowing certain clerks to act as agents, and charge fees. Great objections had been made to the system, and it had formerly been intended to apply a remedy.

Lord *Althorp* could not give any positive answer to the noble Lord until after the business of to-morrow. He was ready to allow the existing practice was bad, but unavoidable circumstances had hitherto prevented it being altered.

SUPPLY — CORONATION MEDALS.] Mr. *Baring Wall* wished to make a few observations relative to the ceremony of the Coronation. The medals sent to the Members of that House had amounted to only 450. He thought the whole business had been managed clumsily by Ministers. If it had been meant to give medals only to the Members who had attended the ceremony, the numbers should have been 410 and not 450. Medals ought to have been sent to every Member of the House, and it was unfair to put such a premium upon attendance, when accommodation had been provided for only 410.

Lord *Althorp* thought the hon. Member perfectly right to give such attention to so momentous and important a subject. It had never been the intention to give medals to any of the Members except those who were present.

Mr. *Baring Wall* said, the noble Lord had given a most unsatisfactory answer.

Mr. *Spring Rice* said, that many Members of the House had attended the coronation as Officers of that House, as Privy Councillors, and in other capacities, which accounted for the difference between the 450 and the 410. The ancient practice had always been, to give the medals only to those who were present to receive them; and therefore, in giving medals only to those Members who had attended the ceremony, the arrangements had been carried on strictly in accordance with ancient usages.

Mr. *Hume* thought, that the arrangements which had been made respecting persons getting to the Abbey, had produced great convenience, and they evinced much consideration and care; but as to getting away again, that turned out a very different thing. There was no order or regulation in this respect. The ladies had to sit till seven or eight o'clock, confined in their dresses; and he was himself confined. At length he made his escape with a friend, and took shelter in a pastry-cook's shop till he could procure his carriage.

Mr. *Lamb* was sorry that better arrangements had not been made, but as he knew by experience the difficulties of getting away from public ceremonies of such a nature, he had provided no carriage, but had walked home without any inconvenience.

The House resolved itself into a Committee.

SUPPLY—CRIMINAL PROSECUTIONS.] Mr. Spring Rice moved, that a sum of 27,590*l.* be granted for defraying an arrear of expenses in Criminal Prosecutions in Ireland, and that the said sum be paid without fee or deduction.

Mr. *Hume* said, he approved of the vote, and gave Government great credit for the determination to put an end to all arrears. He hoped the greatest attention would be in future paid to prevent such arrears, particularly where attornies' bills were the subject.

Mr. *O'Connell* fully agreed with his hon. friend, but the object of his rising was, to ask the right hon. Secretary for

Ireland, whether there would be any objection to furnish an account of the fees paid to Counsel on Crown prosecutions in Ireland.

Mr. *Stanley* was afraid there were no data by which such an account could be made out.

Resolution agreed to.

Supply—Education of the Irish.] Mr. *Spring Rice*, in moving that a sum of 30,000*l.* be granted, for enabling the Lord Lieutenant of Ireland to assist in the education of the people, said, that to explain to the House the grounds upon which such a motion was made, and the mode in which it was intended that that sum should be appropriated, fell more properly within the department of his right hon. friend, the Secretary for Ireland, than within his own; he should, therefore, leave in his hands the task of laying before the House the views of his Majesty's Government on the subject of Irish Education.

Mr. *Stanley* agreed with his hon. friend, the member for Limerick, that to detail to the House the views and intentions of his Majesty's Government on the subject of Irish education, and to give a sketch of the plan to be proposed for carrying on a system of national education, fell more properly within his own province than within that of his right hon. friend. The question to be brought under their consideration was not whether a sum of 10,000*l.*, or 20,000*l.*, or 50,000*l.* should be granted annually out of the national income for the purposes of education in Ireland; but they had this important and delicate problem to solve, namely, how the sum granted could best be applied in promoting the welfare, prosperity, and happiness of the people for whose benefit it was intended. It was not, as some might suppose, a matter of complete indifference how such grants should be applied; it was, on the contrary, a matter of overwhelming political importance. In the conduct of a discussion such as that in which the House was about to embark, and the subsequent administration of such funds as might be granted, it was a matter of the utmost moment, that they should proceed in a manner the most cautious and guarded, that they should act upon nothing but the most satisfactory, evidence for it was a subject more than any other calculated to excite religious animosity. In looking at Ireland with reference to a question of this nature, or indeed with reference to any matter whatever, he could not regard it in any point of view as separate from the empire at large. When he looked to the evidence and the authorities to which his attention was naturally directed, preparatory to bringing forward a motion of this nature, he could not but feel relieved of some portion of his difficulties on discovering, that the intentions adopted by his colleagues in office were in perfect accordance with the principles laid down by every Committee of that House, and every commission appointed by the Crown, that had ever made a report upon the subject. However, the experience of years had proved, that it was much easier to lay down a specious theory, than subsequently to follow up that theory by beneficial practice. The Commissioners of 1812 not only stated in general terms, that no system of popular education could ever operate advantageously in Ireland, which outraged the feelings and prejudices of the great mass of the people, but, that none could be productive of good which was not entirely free from all suspicion of interference with the religious sentiments of the people. The sentiments of the Commission of 1812, and those of 1824, and 1825, fully accorded with the Report of the Committee of the House of Commons which sat in 1828; and that of 1830, cordially concurred in those views. Then the great problem was, how the views of those several Committees and Commissions could best be carried into effect—how be carried into effect in a manner which would not defeat the objects upon which all wise, impartial, and benevolent men were agreed. The question was, how religious, moral, and literary instruction could best be imparted at that period when the human mind was most susceptible of impressions, whether for good or for evil, and how companionship and kindly feeling could, at an early age, be best promoted between Catholics and Protestants. How friendships could best be created and cemented at a period when human beings are the most soft and ductile, and under circumstances capable in some degree of resisting the separations and perhaps dissentions of after-life. When the Irish government was first induced to assent to a grant for the promotion of education in Ireland, it found a Society already established, with very moderate funds no doubt, but still in existence and prosecuting the work in which it wished to engage. The income of this Society, derived from individual subscriptions, did not amount to more than 250*l.* per annum. One of the leading principles of that association was, that without trenching on the rights of others, or the freedom of opinion and action on religious matters which ought properly to belong to them, it desired to make it indispensable that a portion of the Holy Scriptures should every day be read by those pupils who were capable of reading and understanding the Sacred Volume. There was nothing which could sound more fair and liberal than that—at least to Protestant ears, for they of course adopted the Bible as their only rule of faith. He, in common with all Protestants, claimed the right of private interpretation of the Holy Scriptures, but it was, with all its plausibility, impossible to conceive a rule which more completely excluded from the benefits of the Society, those who did not admit the Sacred Scriptures as their whole rule in matters of doctrine and discipline. He adverted to those facts, from a conviction that the government of Ireland at that time went too far for the liberality of the day; they aimed at taking in all classes, and if the experiment failed, it was not so much to be attributed to the Society, acting as a private body, as it was to be attributed to the government of the day, which adopted and made national a system utterly unfitted for the Irish people. They were rash and hasty in taking up such a Society, and it now only remained for the Legislature of this time to do all in its power to remedy the evil complained of; and he must say, not without reason, however, he was bound in candour to say, that though the Kildare-street Society was suspected of being a proselytizing Society, he did not think that that accusation was just. He, looking at the doctrine and principles of the association, asked himself, had it the effect of spreading general education amongst Protestants and Catholics? He asked himself, was it not founded on some fallacy that prevented its success? In using the words "prevented its success," was he to be understood as meaning to say, that there were but few schools established, and only a small number of pupils attending them? He found, on the contrary, that the increase of schools was very astonishing; but it was to a large extent to be accounted for by the voracious appetite for education, which led the people of Ireland to seek any education at any disadvantage. In despite of all obstacles, that voracious appetite had worked well for the people of Ireland. It was evident, as he had already stated, that to establish a Society on the footing on which the Kildare-street Society had been established, was to exclude the Roman Catholics from it. But though that was the case, he did not intend to lay any blame at the door of those who had the management of the Society, for no doubt they discharged their duty in that way which they thought most conscientious and desirable. The blame belonged properly to the Government, which, instead of adopting the means that would have made the Kildare-street Society a national benefit, had suffered its management to remain in hands unqualified for the task. The scheme of the Kildare-street Society was one which it was absolutely impossible should ever have succeeded in a country five-sixths of which was Roman Catholic. In order that the Committee might rightly understand what had been the progress of the Kildare-street Society, from its commencement, he would lay before them a few facts relative to what had taken place since that association became connected with Government. In 1816, the number of its schools was more than in 1817; there were eight schools, and 557 pupils; and this had gradually gone on increasing till, in the year 1830, there were 1,620 schools, and 133,896 pupils; while the grants of the Government, which at first had been only 6,000*l.* per annum, now amounted to 25,000*l.* He was ready to admit that, through the instrumentality of this Society, education had been diffused in Ireland; but what they were bound to ask, and the Government in particular was bound to ask, was, whether that diffusion was sufficient to warrant the munificent grants that had been made? In order to answer that question, it would only be necessary for him to state to the Committee the proportion in which the different provinces of Ireland sent pupils to the schools of this Society. In Ulster—in the Protestant province of Ulster—there were 84,896 actual pupils, out of a total of 134,000, and 1,021 schools; while in Leinster there were only 22,000 pupils, and 247 schools; in Connaught, 11,000 pupils, and 112 schools; and in Munster 16,000 pupils, and 240 schools; while the gratuities were

1,303*l.* to Ulster, 365*l.* to Leinster, 150*l.* to Connaught, and 285*l.* to Munster. So that in Ireland, where five-sixths of the population were Roman Catholics, nearly two-thirds of the whole benefit of the Society went to Protestant Ulster; while the other three Catholic provinces had only one-third to their share. Looking, then, at these facts, he naturally asked himself, from what did they arise?—did they arise from any reluctance on the part of the Catholics to accept a boon from the hands of the Imperial Legislature? Such he did not believe to be the fact. Let the House, then, consider if there were any thing in the tenets or character of the Society, or the nature of its proceedings, to account for the condition in which Irish education was at present to be found. On looking at the regulations of the Society, they found its first rule to be, that the Holy Scriptures were in every school to be read without note or comment. Was there a Catholic in that country, or in this, who would not instantly say, that such a mode of conducting the education of youth was repugnant to the principles of the Catholic Church, and that such a rule was one to which no conscientious Catholic could submit, and one which no Catholic clergyman, exercising no more than the due influence which the pastors of every Church ought to possess, would not, according to the doctrines he professed, feel himself bound in duty to denounce? As pastors of congregations, it was one to which the Catholic clergy could not submit. Did he mean to say, however, that a small number of the Catholic clergy might not be found supporting the schools of the society, and even a few Catholic children attending them? Certainly not; he knew that a small part of the Catholic clergy did support the schools. But did it therefore necessarily follow, that the system was a national system, and one suited to the wants and condition of the people of Ireland? He did not stand up for the purpose of stating what might, or what might not, be the doctrines of the Society, it was enough for him that he found them requiring that with which Catholics could not comply, even though they did leave to the master, or other teacher, the choice of that portion of the Scripture which should be read, and the choice of the pupil by whom it should be read. This so-called religious education, purchased as it was by so large an expenditure of money, and by the loss of so much charity and good feeling, which, but for it, might exist, amounted, after all, to only reading a chapter in the Testament. Was there any Member who could call such an education a religious education? and yet the efforts of the Kildare-street Society were limited to that. He would ask any sincere Christian, whether he believed that all that was sufficient to the religious education of a child, was to make him read a chapter of the Bible, without any explanation of it further than what his own imperfect mind might afford. Was there any Protestant father in the empire that would dream of putting a child of five years old down to the Bible, and leave him to draw his own conclusions? He thought that in this respect they would do well to take a lesson from the evidence of Dr. Doyle, of whom, whatever difference of opinion, there might be as to his tenets, there could be none as to his earnestness and sincerity. He alluded to the evidence given by Dr. Doyle before the Committee of 1830, and he could not better express his own views than by quoting the remarks of that gentleman. "Are you acquainted," he was asked, "with the system on which the Kildare-street Society carry on their schools?" "Yes," he replied, "tolerably well. I witnessed it as it is exemplified in my own schools every day".—"In the schools which are managed under your superintendence, and conducted upon your rules, do you consider their system to be applicable to the education of both Protestants and Catholics equally?"—"Their system, of course, is not; because their rule excludes religious instruction, which we require as an essential part of education. Then, as a substitute for that religious instruction, their system requires the reading of the Sacred Scriptures, by children who have acquired suitable proficiency, without note or comment. There are, in that system, three inconveniences as they regard us: the first is, that it excludes religious instruction in that shape and manner in which we think it necessary to have it given to young and tender minds, namely, catechetical instruction by way of question and answer; and, in the second place, it is inconsistent with our notions of conveying Scriptural knowledge to give the Scriptures to a child to read, leaving him to form upon the sacred text what notion he pleases. Therefore, as their rule excludes all comment, whether oral or written, upon the Scriptures, we, who maintain that the Divine Revelation is to be interpreted by the Church, cannot at any time agree with them. Whilst these rules, therefore, exist—the one excluding catechetical instruction, and the other prescribing the reading of the Scriptures without note or comment—their system can never make any progress in Ireland; but if it were freed from those inconveniences, it would be hard to devise a system better calculated to effect good."—"Then your objection to that system is not to the reading of the Scriptures as such, but to the mode in which, and the discipline under which, Scripture reading is given?"—"Most certainly not to the reading of the Scriptures themselves, for I prescribe that they be read in all our schools; and the various memorials presented by the Catholic Bishops in Ireland to successive Lord-lieutenants there, and the various petitions presented on their behalf to Parliament, shew, that they have, at all times, wished for religious instruction, as the basis of education in schools; which religious instruction, in their opinion, should consist, in part, of reading the Sacred Scriptures; so that, upon that subject, there can be no doubt what our doctrine and discipline are. We have laboured very much to make it known to every one, and to remove the impression which unfortunately prevailed generally in England, that the Catholic priesthood and prelacy were opposed to Scriptural education—than which no greater calumny was ever sought to be affixed upon the character of men." Men might more or less confide in the sincerity and truth of the right reverend Doctor, but no man could do more than justice to the indignation with which, in the face of the country, he repudiated the idea of the Catholic clergy being averse from the perusal of the Scriptures. In referring to this evidence, and in making these observations, it must not be supposed, that he (Mr. Stanley), or that the Government, on whose behalf he was speaking, was opposed to religious instruction; on the contrary, what he wanted to see was, its diffusion, on such a principle as should inculcate charity and good will, instead of promoting discord and evil. It might be true that, by the present means, they were giving education to Ireland, but would they be giving a benefit to it by means of that education, if it was contrary to the religious feeling of the country? but those who undertook to argue in favour of the Kildare-street Society were in the habit of saying: "only allow us to keep on; only continue the grants, and we must finally succeed." But such success as that was contrary to a feeling of charity, for it would be a success in spite of the religion of the people, in spite of the precepts of their faith, in spite of the dictates of the priests; and could it be the object—ought it to be the object—of Government to promote a success on such terms as these? Their object ought to be, not to oppose the Catholic priesthood and the people, but to bring the priesthood, and the people through their influence, into an amicable and friendly relation with the Government. He would not then go deeper into an important subject, immediately connected with the topic he had just noticed; he would not advert to the means of drawing closer the tie which would bind the Catholic clergyman to the State. His object would be, looking to Ireland, and looking to it in a political view, not to aim at diminishing the influence of the Catholic priesthood, for that influence produced benefit to the community nine times for once that it yielded evil. Did he propose to do as the Kildare-street Society had done, holding out to the Catholic people of Ireland the tempting boon of education, and at the moment the cup approached their lips, dashing it away for ever? No. The sense of duty entertained by the Catholics, the commands of their priests, made them reject that cup, the contents of which, they were assured, was poison. The doctrines and principles which he imputed to the Society were those which he would maintain they held, and he called the attention of the House to the very last report of their Committee in verification of what he affirmed. There was a passage, he observed, in that report, which certainly would make him hesitate to say that this was a proselytizing Society. That passage stated, that no surprise ought to be felt when the Roman Catholics refused to receive the Bible instruction of the schools without note or comment; but why should the members of the Society on that account break down the goodly system of their house to meeet the Catholic views of the fancied improvement? [*"hear, hear," from Mr. James E. Gordon.*] The hon. Gentleman who cheered, and who was chiefly remarkable for his over zeal on religious matters, was very much mistaken if he supposed that the Protestant religion was gaining ground in Ireland, either by such discussions as he had promoted, or by such proceedings as those of the Kildare-street Society. The real fact was that, according to the system on which this Society was conducted, it was in vain to expect that the religious parties in that country could ever be brought together, as was fully proved by every part of its proceedings. It was now not to be denied that the great majority of the Catholic clergy protested against the principles and practice of the Society. Again, he would ask, was he the less to be considered a good Protestant for making these observations? or did the House imagine that the Kildare-street Society was calculated to promote the growth of Protestantism in Ireland, and afford a system of education suited to the people of Ireland? Did any one suppose, that an imaginary system of education was better than that which was real? The plan which he had in view would, for the future, afford the people of Ireland the advantages of a combined literary, and a separate religious education. Experience teaches, that endless controversy must arise from any attempt to give religious instruction to children of different religious persuasions. It was evident, that as the Catholics formed five-sixths of the population of that country, the tutors, if fairly appointed, ought to be in the proportion of five Catholics to one Protestant. But what was the fact? The appointments last year had been 148 male tutors, out of which 123 were Protestants, and only twenty-five Roman Catholics; and fifty-six female tutors, out of which forty-eight were Protestants, and only eight Roman Catholics; or, to make a general summary, there were 204 appointments, of which 171 were Protestants, and only thirty-three Roman Catholics. Another extremely strong objection which he had to the present system was, that every thing and every person connected with it, were altogether irresponsible to the Government; and yet the whole of its operations was carried on by means of legislative grants of money. Nor was the Government able to prevent this. The gentlemen who had the direction of the Society, on any such attempts being made, had ready, as an answer—"The Society is ours; and if you choose to make use of our Society, we expect that you will submit to our rules." But there was one thing which the Government could do: it could withdraw the grant from the Society—and that it would do. The violent partisans of both religions, would, no doubt, be glad to have separate grants for separate schools, but to this the Government would not consent. The Government had taken away the parliamentary grants from the Protestant Charter Schools, and, in like manner, it would not consent to grant any money exclusively in favour of the Catholics. What was then intended to be proposed? That the Government should take a vote of 30,000*l.*, being the gross amount last year granted to the Kildare-street Association, and the Society for Discountenancing Vice. The House were, of course, aware, that the grant for the Society for Discountenancing Vice was in course of reduction, and would finally be abolished, leaving that Society within the limits of its individual resources, which he had reason to believe were extremely narrow. With respect to the business of education, they proposed to follow the course recommended by the Committee which sat last Session, and of which his right hon. friend near him was Chairman. He proposed, that the money should be placed at the disposal of the Lord Lieutenant of Ireland, and the conduct of the schools left to the direction of a Board, partly Protestant, partly Catholic: thus, he trusted, supplying sources of confidence to both parties. The Catholics of Ireland could not be expected to confide in a Board exclusively Protestant, neither would he be disposed to vest all the power in the hands of Catholics. The teachers would be appointed by that Board, and the general direction of all the Government schools left in their hands. He was as fully aware as any hon. Member could be that the great difficulty would be the choice of a Board. The general principle upon which he intended that the schools should be conducted was, that one or more days in each week be given up to separate religious instruction, and the other days appropriated to general literary instruction, combining the members of both persuasions. It was thus anticipated, that both would be led to mix, without animosity or ill-will. At the same time, he was ready to admit, that it was perfectly possible, that the proposed Board might disappoint the expectation which was at present entertained by himself and his colleagues; but if that should be the case, he was convinced that the Ministers would meet with no opposition from that House, if they should ask for the consent of Parliament to establish a Board of paid Commissioners, provided it could be shewn, that such a step would be calculated to ensure success to the plan which he had in view, and that education would be effectually given to the people of Ireland. He proposed, in some degree, to follow the course of education adopted in Dr. Doyle's schools, except that, in those, the teachers were all Catholics. It was also proposed to adopt from the Kildare-street Society their excellent model school, and their plan for sending out cheap books. As an evidence of the excellence of the latter system, he would observe, that the expenditure for cheap books last year amounted to 9,350*l.*, and the repayments to 6,427*l.*, effecting a vast amount of good at a trifling expense. It was upon these grounds, and with these views, which he had stated to the House (perhaps at greater length than he ought to have done, though he had endeavoured to avoid entering into details which might prove tedious to the House), it was with these views, that Government proposed, in a future year, to submit their estimates to Parliament. He was bound to say that, in the course of the present year, some portion of the vote of 30,000*l.* must, in all probability, be devoted to the Society, which had hitherto enjoyed the grant; and for this reason, which, he thought, would be admitted to be a just one, even by those most opposed to the grant: at the present moment, three quarters of the year had expired, and, therefore, much of the money must necessarily have been expended before the estimate was brought forward. With respect to these sums so expended, the Society had a peculiar claim, because they had been expended (he admitted objectionably, but that was the fault of the Legislature), on the private responsibility of the Society. The Society was obliged to meet the ordinary and current expenses on their own private responsibility, and he, in obedience to the views entertained by his Majesty's Ministers, had informed them, and he hoped the House would not think that he acted improperly in so doing, that they needed not be under any apprehension, with respect to the expenses to which they had pledged themselves, in expectation of having the usual grant of money voted to them by Parliament. The truth was, that the Society was obliged to make its engagements at an early period of the year, or otherwise the whole machinery of the institution would stand still; the establishment would, of necessity, be closed, education cease, and the whole system be prematurely dissolved. At the same time, it was necessary to state, that after making a most liberal allowance for these expenses, there would be, in the course of the present year, a considerable surplus applicable, by way of an experimental grant, under the direction of the Lord Lieutenant of Ireland. He thought, that such would be the case, because, at the commencement of the year, there was a balance of 6,000*l.* in the hands of the Treasurer of the Kildare-street Society. It was true, that he might be told that this balance was liable to engagements previously formed; and that, therefore, if there had been a similar expenditure in the course of the present year, though there might remain a similar balance, yet it would be liable to similar engagements. He hoped he was not going too far, when he said, he was ready to admit, on the part of Government and of Parliament, every fair engagement which might have been entered into for the present year on the part of the Kildare-street Society. He was aware that it was necessary for the Society to enter into engagements some time previous to the estimate being submitted to the House; and he was willing to meet every fair engagement for which the Society had made itself responsible, with the knowledge that the grant would not be extended beyond the present year. If it should prove that, at the expiration of the year, the sum of 6,000*l.* remained in the hands of the Kildare-street Society, to meet the views of Government, but liable to engagements fairly contracted, he should, actuated by a spirit of fairness, come down next year to Parliament, and ask the House to refund that balance to the Society. He stated this, because there were some items, for which it was necessary that engagements should be formed, the estimates of which could not be made till the close of the year, or the commencement of the following year. He thought it fair to state this to the House, declaring, that it was not the intention of his Majesty's Ministers to apply to Parliament for any future grant, beyond the service of the present year, to the Kildare-street Society.

Having stated thus much, it now only remained for him to express a hope, that he had explained his views with that temper and discretion which he felt the full importance of preserving in the discussion of this subject. It had been his wish to avoid, as much as possible, giving offence to the most zealous Protestant or Roman Catholic. He had stated his views fairly, without intending to make any distinction between the two parties; and he hoped and trusted, that both sides would continue the discussion with temper and kindness, and abstain from any expressions which might lead to irritation and animosity. Nothing further remained for him to do but to second the Motion.

Mr. *North* concurred with the right hon. Gentleman as to the propriety of conducting the discussion with temper and calmness. He should endeavour to do so. The right hon. Gentleman had given the Committee a sketch of the principles and practice of the Kildare-place Society. That the principles of that Society were founded in reason, he for one, felt the deepest conviction; and he therefore could not but feel astonished that that Society had, for a series of years, been exposed to the most unjust and unmerited animadversions. He was much pleased at recollecting, that the principle, upon which this Society was founded, in 1811, was recognized by the Government as the only principle upon which any system of education ought to be established in Ireland; he meant, the principle, of united education, by which children, whether Catholic or Protestant, would have opportunities of assembling in the same schools, and possess the invaluable advantage of becoming, by a common education, acquainted with each other, and of cultivating those habits of friendship and good-will which alone could secure permanent peace to the country in after-ages. That this was the system proposed by the Commissioners of education in the year 1812, was admitted by the right hon. Gentleman opposite, but he seemed to insinuate, that the Society, while adopting certain portions of the advice of the Commissioners, rejected others equally important. That was not however the real state of the case. The Commissioners in the year 1812, though they recommended the adoption of a species of education which would not interfere with the religious opinions of any person, yet strongly advised that the children might be made acquainted with the Sacred Scriptures. They considered both these principles as equally sacred, without the adoption of which they could not advise the establishment of a system of education. On a subject of this importance, he would, to avoid misconstruction, trouble the House with extracts from authentic documents. [The hon. and learned Gentleman read an extract from the Report of the Commissioners of Education, in which the importance of making children acquainted with the Holy Writings was strongly pointed out.] He had read this extract in order to justify the Government which made the grant to the Kildare-street Society; but at the same time he begged to remind the House, that this Society was not originally formed under the protection, or by the direction, of Government. It was purely a voluntary association, and in founding schools had followed up the plan of a Society which had existed in Dublin since the year 1786, composed of persons the least open to the charge of a proselytizing spirit; he meant the members of the Society of Friends, commonly called Quakers. The schools supported by the Society of 1786 contained children of all persuasions, Protestants, Presbyterians, and Roman Catholics, and, as he had been informed, several Catholic priests had actually been educated in them. So satisfactorily had these schools been carried on, that in 1811 a number of gentlemen, who had had their attention attracted to the subject of national education, imagined that they could not proceed on a better foundation, or raise their superstructure on a firmer basis, than by following a plan which had proved exceedingly successful. At that period many respectable bankers and traders formed themselves into a Society for the purpose of educating the children of Ireland on liberal principles. They adopted three rules from which they were determined not to recede. The first of these was, the appointment of masters and tutors, and the admission of scholars, without regard to religious distinctions. The second rule was, the exclusion of all books of theological controversy, and the allowance of sufficient time to the children to receive religious instruction out of the school. He begged the Committee to retain this part of the rules in their memory, because it supplied an answer to many of the observations made by the right hon. Gentleman which had been received with the greatest applause by the House. The third rule was, that the Sacred Scriptures should be read without note or comment in the schools by such scholars as had obtained a suitable proficiency; and that such parts only should be selected as were best suited to the capacity and attainments of the readers; and the Society recommended that the Sacred volume should not be used as a mere school-book, from which to teach the children to read and spell. Such were the principles of the Society which, at the time was regarded by the whole country as a most remarkable example of liberality; and it was joined by persons of all persuasions, Catholics as well as Protestants. It had been insinuated by the right hon. Gentleman, that this Society was an exclusive Society. Such was not the fact. Any man who was willing to subscribe one guinea yearly, or ten guineas at once, could become a member, and enjoy equal rights and privileges in the management of the Society's concerns with every other member. In the Committee were several Roman Catholic gentlemen—one of them a barrister of high attainments—he meant Mr. Nolan; and the hon. member for Kerry had himself been a member of that Society for no less a period than nine years. During that time he started no objections to the principles of the Association, but proclaimed it the most liberal of institutions, and one which every Roman Catholic would be justified in supporting. The hon. member for Kerry might now perhaps say, that he was either not acquainted with the principles of the Society, or that they had been departed from. The latter certainly was not the fact; and he (Mr. North) could not conceive that the hon. member for Kerry, with his great acuteness and activity, could have remained in ignorance of the rules of the Society. There was nothing in those rules at all obnoxious to the religious opinions of the Roman Catholics; and by the appointment of Roman Catholic gentlemen to responsible situations, the Society endeavoured to give a pledge that it was honestly determined to adhere to the principles which it laid down. The commencement of its proceedings also had been to appoint a Roman Catholic Master and Mistress of the Model School. The only charge remaining unanswered was that relative to the book department of the Kildare-street Society Schools. He must first observe, that previous to the establishment of those schools, the common people of Ireland were entirely dependent for their instruction on what were emphatically termed "hedge schools," and in these places of education, as might easily be imagined, the very worst books were those most in vogue, having originally found their way there through the excessive ignorance of those who established them. Now the object of the Kildare-street Society was, to remove these highly improper books from circulation amongst the poor, as text books of instruction, and to substitute in their stead others of a more useful and more beneficial tendency. In carrying this object into effect there was a book introduced, into which an extract from Mrs. Ratcliffe's novel of "The Italian" was copied, relative to some ceremonies of the Italian Church, and this quotation having been observed by some person of the faith of that Church, an objection was urged to putting such a sentence before the child of any Roman Catholic; the result was, that in the next edition of the book, the passage was altogether erased—and surely no charge could be more unfounded than one which should be raised upon such a trivial circumstance as this. But the fact was, that the main objection which had ever been raised to the Kildare-street Society by the Catholics was, that they introduced the Scriptures into their schools, and upon this one circumstance did they base the whole of their unfair and unfounded charges of proselytism. The charge, such as it was, had only recently been made; and it was totally without foundation. The Society had, in fact, on all occasions carefully abstained from interfering with the religion of either the teachers or the scholars. The right hon. Gentleman, he observed, had very truly stated, that reading the Scriptures was not sufficient, that there must be religious instruction besides, and therefore part of his plan was to put apart certain days for religious exercises. But he begged the right hon. Gentleman to recollect that the Kildare-street Society not only set apart certain days for that purpose, but allowed the schools to be open for the religious instruction of the Roman Catholic children after school hours. Still the liberal course which the Society pursued had not the effect of removing objections, to which he believed the new plan of the right hon. Gentleman would also be liable; and he would be compelled either to give up his principle of united education, or make the schools purely Catholic, into which Protestant children would indeed be freely admitted, but in which they must expect to receive Roman Catholic education. He had felt great interest formerly on the subject of national education, but latterly his views on this point had been of a very desponding character. He apprehended that it would be found at last necessary to leave the education of the Irish poor to the exertions of private societies, and he was persuaded that the Kildare-street Society would have adopted a far better course, if, when a grant was offered to it by the Government, it had rejected that grant altogether. He was disposed to think that the Society would then have effected its object with greater success. But he had no objection to let the proposed experiment have a fair trial. He had no hopes of its success, but he trusted his expectations would be disappointed. The hon. Gentleman then defended himself from a charge which had been made against him in Ireland of having imputed to the Roman Catholic clergy the introduction of improper books into the schools of that country. He hoped that in the distribution of the proposed grant, the Protestants of Ireland would be allowed their fair proportion, and he gave notice, that if he saw, at any future occasion, that the Protestants were not justly treated, he should strenuously oppose any further grant, however much inclined he might otherwise be to give the fullest means of education to Catholic children.

Mr. *Frankland Lewis*, as one of those who had for some time devoted much of his attention to the subject, both officially and otherwise, felt himself bound to say a few words with respect to the proposition of his right hon. friend. The question of Irish education had for so long a time been mixed up with that other great question, now happily determined, that it had been almost impossible to separate them, so as to proceed upon any thing approaching to sound principles; but he hoped the time was not distant when the object they had all in view might be attained, and a rational system of education adopted throughout Ireland. His right hon. friend certainly would not have been justified in requiring so large a sum of money from the Committee, to be applied on the mere responsibility of the Government, if he had not entered so fully, fairly, and candidly, into an explanation of the system about to be adopted. Of this he was sure, that there must be one general system of education for all sects, or they never would succeed in producing that harmonious union of all classes which it was the great object of the Legislature to accomplish. The main difficulty, he admitted, was to discover what could be done with the Society established in Kildare-street. There could be no doubt that, at one time, at its first establishment, that Society held out very strong hopes that it would be able to accomplish the objects for which it was instituted—namely, the promulgation of a system of general education. The Catholics, from a sense of the benefits to be derived from such a system, and with the prospect of its accomplishment, gave the Society for some time their zealous support; but it at last got involved with the schools of another Society—the London Hibernian Society—whose avowed object was proselytism, and the result had been a failure of their efforts. He did not mean to cast any reflections on the Society; he merely stated the fact, that it was impossible to go into the schools of the Kildare-street Society, without perceiving from the books the connexion which existed between that Society and the Hibernian; and when it was recollected that the Kildare-street Society allowed the children to be taught from either Catechism, and that the Hibernian from only one, it was impossible not to see that the Catholics must be disposed to view their connexion with suspicion, and to withdraw their confidence from the schools of the Society. The result had been, that in many cases the children were taught no religion, because the teachers were forbidden to comment on the Scriptures, and they were read as a mere history, or compound of very discordant doctrines. He hoped, however, that the state of the schools throughout the kingdom would be thoroughly examined before they were put down, as there was a great difference between those of the north and south of Ireland. The school-books of the Society were some of the best which could be devised, and had even been reprinted in America. They should be preserved, and he also thought that the system of instructing by the schoolmasters might be beneficially retained. The principle of separating religious from other means of instruction, recommended now by the right hon. Gentleman, was, however, not a new one. It was in strict accordance, and, perhaps, had its origin in the fourteenth Report of the Commissioners for Inquiry into Education in Ireland, of whom he was one. The Catholics of Ireland had been long contending for the recovery of their privileges from those who had been their conquerors. He hoped the time was approaching when they would, in everything, be placed on an equal footing with the Protestants. Ascendancy, he trusted, they would neither attain nor strive to attain; for he had no hesitation in saying, that he was one of those who would resist that to the death. There was no necessity for the one class of religionists being taught to despise or hate the doctrines of the other. There was no occasion for any concealment of the books of instruction. All should be left open; and it would surprise many to find how far Protestant and Catholic could go before they reached a point of difference. He thought there was no occasion for insisting on the use of the Testament, but that a general Scripture-book, such as that recommended in the Report, might be very properly introduced in the place of it. That Scripture-book had been accepted even by the Catholics; but the Protestants rejected it, because, in the then state of the Question of Catholic Emancipation, they could not consent to adopt any book of that kind which did not inculcate the superiority of that religion. He must contend, that unless a plan for the education in common of Protestants and Catholics were adopted, both going together as far as they agreed, and that was much further than the majority of each religion was aware of, and separating only where they differed, it would be impossible to expect any benefit from the funds to be applied for the purposes of education in Ireland. But let him add, that, if they continued separate systems of education for Protestants, Presbyterians, and Catholics, they must for ever abandon the hope that Protestants, Presbyterians, and Catholics would harmonize and unite in that way which was so essential to the general tranquillity and prosperity of the country. He wished to observe, that in granting a sum for education, the benefits of which were to be shared by the Catholics as well as Protestants, he did hope that all those books would be kept from both which had a tendency to produce hatred, or animosity, or any uncharitable feeling toward one another. He must do justice to the Catholic hierarchy by observing, that they had consented to exclude the use of all such books from Catholics. He was the more anxious on this subject, as in many Catholic schools which he had visited he saw books of this kind in the hands of the children. This no doubt was in a great degree to be accounted for by the then political situation of the Catholics, and by the remembrance of the long period of suffering which they had undergone since the time when they were conquered. He hoped, however, that the time was come when all such feelings would subside, and that the system now proposed by Government, would, amongst other causes, tend to their total extinction.

Mr. *Lefroy* said, that as the Kildare-street Society, the doom of which was about to be sealed, was one on which he had bestowed his attention during the most useful part of his life; and as this was a subject connected with education in Ireland, he hoped, as the Representative of the only University in that country, he might be allowed to say a few words on the subject, as it was one on which he felt a great interest. He trusted that he should not be considered as trespassing on the Committee by offering a few remarks on a subject which had occupied his attention for many years. There were, in his opinion, two questions to be considered on the present occasion. The first was, whether they should get rid of the Kildare-street Society before they were provided with other means of promoting education; and the next was, whether a religious education could be given to the children on any other basis than that adopted by the Society —without resting it on the basis of the Scriptures, which he understood were now to be rejected? This last point was a problem which the right hon. Gentleman was called upon to solve. How, he would ask, did they propose to give a religious education? If all human compositions were to be rejected, how were they, without the Scriptures, to teach that which rendered education really valuable? The question was, whether the people of Ireland in a body were ready to receive the Scriptures in their national system of education. That they were heartily disposed to do so, he could prove, not only from recorded evidence but by living witnesses. With respect to the first point, it should be considered, that the Kildare-street Society had now in connexion with it 10,000 schools, with 130,000 scholars, whose instruction was carried on, not less by the grant from Government than by the donations from private individuals, on the faith that the grant from Government would be continued. The Kildare-street Society had carried on its system openly; its rules and regulations were well known, and had been so for many years; yet, after the many grants made to it, it was now to be put down with only three months' notice; and on what ground? That the principles on which it was conducted were hostile to the feelings and opinions of the great body of the people in Ireland. As there were great differences of religious opinions in Ireland, the Kildare-street Society, wishing to excite those differences as little as possible, excluded from their system of education any human works, and left only the Scriptures, which, if they were denied by some to contain all the revealed will of the Deity, were admitted to be the revealed Word of God as far as they went. Now the only ground on which this could be objected to was, that it was hostile to the feelings of the majority in the country. He would let the Society be tried by that test, for he was ready to admit that Members ought not to sit there to register the decrees of any Church against the will of the great majority. He would contend, however, that the majority of the Catholics of Ireland were in favour of the plan of education adopted by the Kildare-street Society. It appeared, for example, by the Report of the five Commissioners, one of whom was a Roman Catholic, that the number of scholars in the schools established by the Kildare-street Society, at the time the Report was made, was 57,129; and that of those, 29,555 were Roman Catholics. Here, then, there was a moiety of Catholics. Again, in the Model School of the Kildare-street Society, there were 697 scholars; of whom 263 were Protestants of various denominations, and 434 Roman Catholics. Here, therefore, the Catholics were in the proportion of nearly two to one. Look at the Report of the Hibernian School Society, which the hon. Member who had just spoken had described as a proselytizing Society. It appeared that the number of children educated by them was 36,295, of whom 17,656 were Roman Catholics. Look again at the Capel-street Society. That Society educated 12,623 children, of whom 4,556 were Roman Catholics. Yet, in every one of its schools the Protestant Catechism was taught; and it was essential to them all that a Protestant should be at the head of each. If they found that in all these schools the Roman Catholics were willing to partake of education with Protestants, what foundation was there for asserting that the Roman Catholics of Ireland were not willing to receive the Scriptures in common with the Protestants, in their system of education? What more desirable mode of education was there in a country torn by internal divisions than the introduction of the Scriptures? What more rational hope was there of putting an end to the dissentions which had so long existed? What could be more to be wished than that the different parties should meet on a common ground, in order to see in what their differences really consisted? If, after such a meeting, they should finally differ, yet the disagreement would be less than it might otherwise be. For what was the tendency of a religious education but to soften the asperities of our nature, and to teach us mutual forbearance and charity? If such were not its universal effects, it was not the fault of such an education, it was the fault of the overbearing propensities of human nature. One of the great objections to the Kildare-street Society was, that the Roman Catholics being opposed to the reading of the Scriptures, would not have them read in those schools over which Roman Catholic teachers presided, or would not send their children to those schools where the Scriptures were read. Now it would be well to inquire into that allegation, and see how far it was borne out by facts to which every Member of the Committee had access. It appeared that the whole number of schools in Ireland at present for the education of the poor, was 11,023. Of those, 7,559 were under the direction of Roman Catholic masters. In 6,058 of those schools, the Scriptures were read. Deduct from those 6,058 schools, the number of schools maintained by the Protestant Societies, namely 1,900, and it appeared, that there were above 4,000 schools in Ireland under the direction of Roman Catholic masters, and unfettered by any connection with Protestant societies, in which the Scriptures were taught. How, therefore, could it be said that the Roman Catholics of Ireland were averse from the introduction of Scripture into their schools? Why, then, were they to be called upon to deprive the Roman Catholics of Ireland of the opportunity of receiving a Scriptural education? There was one circumstance to which he wished to call the attention of the Committee. Mr. Donellan, a Roman Catholic gentleman, one of the Inspectors of the Kildare-street Society, being asked by the Commission, what was the general extent of the knowledge of the New Testament by the lower classes of the Roman Catholics? answered, that he believed their knowledge of it was but vague. Yet it was on that volume they were sworn in giving evidence, and in their other civil duties. Was it not, therefore, important that they should be rendered familiar with its contents? The right hon. Chief Secretary said, that it would be impossible to give to the Catholics and the Protestants a combined religious education, without provoking controversy. But he had already stated facts which disproved that assertion. The right hon. Gentleman had quoted Dr. Doyle in support of his opinions. He would beg leave to quote Dr. Chalmers in support of his. Against the doctrines of the Roman Catholics in Dublin, he would quote the doctrines of the Roman Catholics in Glasgow. In the second Report of Evidence, it appeared that Dr. Chalmers had stated, that there were a good many Catholics in Glasgow, and that they had no objection to the introduction of the Scriptures in their schools. In one school there were 300 children who were taught from the Scriptures. He would also advert to the testimony in the first Report of Evidence of Sir Francis Blosse; who stated, that, after eight years' experience of schools in which the New Testament was read by the children of both persuasions, he had no hesitation in saying, that a mode of education, uniting Catholics and Protestants in the same system, and introducing the Bible into that system, would be most useful. What religious instruction could be of any value which was not based on Scriptural knowledge? When, therefore, the right hon. Chief Secretary said, that the Kildare-street Society did not proceed far enough in communicating religious instruction, the answer was, that it went as far as it could do, and that it left the rest to the parents and friends of the children. Regard, also, ought to be had to the feelings of the Presbyterians in Ireland. The Presbyterians would not consent to the exclusion of the Scriptures from their system of education. The disposition of the Roman Catholics of Ireland to partake of Scriptural education, was manifest from a variety of circumstances, and was satisfactorily proved by the numbers of them who had attended such of the Society's schools as made the Bible the basis of their religious instruction. Still, however, the vast proportion of that class were wholly ignorant of Scripture, to which they were denied access by their priests, whose object was to destroy the Kildare-street Society. This was to be discovered from the evidence given before the Committee by Mr. Donellan, himself a Roman Catholic, and an Inspector belonging to the Society. The poor people were not to blame, nor were the Roman Catholic clergy altogether the authors of the prohibition. They were bound to obey the superior authority, to which they were subject. They were under the jurisdiction of a foreign potentate, and were obliged to yield implicit obedience to the court of Rome, from whence, in 1821, issued a Bull, prohibiting the use of the Scriptures in Irish schools. Up to that time the Kildare-street Society obtained the approval of the Catholic population of Ireland, and many of its body were members of the Society; but on the arrival of this formidable Bull (it was not of Irish origin, and had no relation to the family of that name known in Ireland, but was of the true Italian breed), hostility was immediately declared against the Society, and the hon. and learned member for Kerry came to the Committee of the Society, and apprising them of the arrival in town of the Bull, said, that the case with regard to the Society was then entirely altered, as the schools of the Society were thenceforward prohibited to the Catholic by the spiritual head of their Church, and that the admission of Testaments, even without note or comment, into Catholic schools, was condemned. Armed with such authority, the hon. and learned Gentleman, mounted upon his Bull, rode round to the Catholic clergy, and stirred them up to the most active and effective hostility to the system of education then established, and in full operation in Ireland. Up to that time, as he had already said, there was no objection on the part of Catholics to the Society, no public meeting ever held against it, nor were any petitions against it ever presented to the House until the year 1823, nor had Dr. Troy, who was then at the head of the Catholic Church in Ireland, gone further than to say, he did not think the Scriptures fit school books. It was only then the hostility commenced, not, he would say, on the part of the people, but of the clergy, and he would ask the House whether, in legislating upon the all-important subject of the education of the Irish people, the wishes of that people, or those of the Pope of Rome were to be consulted? Were the wishes, the interests, and the tranquillity of the Irish people to be consulted, or would the House act upon the dogmas taught, and the decrees issued by the Pope? The circumstances of the times required, that Parliament should act with wisdom and firmness, for they were now placed in a situation similar to that in which the British Parliament stood at the beginning of the sixteenth century. Then it was, that Parliament contended successfully against the court of Rome, for the admission only of the Scriptures as a rule of faith, and he asked, was the present Parliament prepared to abandon the doctrines of those times, or would they in any way assist in shutting out from the people the lights of Scripture which were eagerly sought for? In legislating on this subject, and acting upon what was miscalled liberal principles, they ought to take care that in endeavouring to please all sects they did not create a general indifference to religion. He still hoped they were not come to that point, for although all political distinctions, as they regarded religious opinions, were gone and for ever, they had not yet repudiated the Protestant faith. They had not yet repudiated the national religion. But they were about to commence a system by which all religious creeds were to be taught. Such a principle could not be practically acted upon, for it was inconsistent both with common sense and religion. This could neither be adopted in public schools nor in private life; for what could be thought of the man who would undertake to teach the doctrines of opposite and inconsistent creeds; and what ought to be said of a Legislature that attempted such an inconsistency of principle, as to attempt to teach conflicting doctrines of religion? If the House wished to have Roman Catholic doctrines, if such a course should be thought right or expedient, then let a separate grant be given to the Catholic clergy, to do with it as they pleased, and to teach their own doctrines as they chose; but let not the House adopt any system which would compel Catholic children to frequent Catholic places of worship, as was proposed by the right hon. Secretary for Ireland. He protested against any regulation which prevented Catholic children from going to any place of worship which they wished to attend. Such a system was in reality one of exclusion and bigotry, and ought not to be tolerated by a British House of Commons. Rather let the present system exist, than to appoint teachers and pay them to teach conflicting opinions. It had been objected to the Kildare-street Society, that it had allowed itself to be involved in difficulties by its connexion with other bodies, which were avowedly of a proselytizing character. Now, he could take upon himself to say, that from the time when the Education Commissioners had reported and complained of such connexions, they were immediately dissolved, and all grants refused to the schools of such societies. He could not deny, that this objection to the Society was a fair one, but then it could be no longer urged when the difficulty was notoriously removed. The right hon. Gentleman (Mr. Frankland Lewis), whose experience on this subject was entitled to great consideration, had very properly advised the House to avoid the circulation of any works likely to wound the feelings of any sect, or produce any irritation between the Protestants and Catholics. How could that object be attained whilst the Roman Catholic Bishops encouraged the circulation of objectionable books, and such as were most repugnant to the feelings of Protestants? Further, by their resolutions, they protested against the use of any books but those of their own selection, and against every system of education but that of their own choosing. It was, therefore, folly, it was hopeless to think of devising any system of education which would be pleasing to Catholic priests or prelates. Whatever rules might be laid down by the House, they would be evaded, and in no instance adhered to, except when they suited the views of the Catholic clergy. As to the manner in which this grant was to be given, he objected to it entirely, as an act of injustice to the Society, which had expended money in the faith of expectations held out to them by Government. In consequence of a letter from the Chancellor of the Exchequer to the Secretary for Ireland, intimating an intention of continuing the grant, several private individuals had, on their individual responsibility, advanced money out of their own pockets; and in the face of this pledge the money was now to be paid at the discretion of the Lord Lieutenant for Ireland. It was, he thought, unfair as well as unkind, after all that had been done by this Society, to make such a respectable and benevolent body supplicants to the Lord Lieutenant.

Mr. *Brownlow* expressed the high and sincere satisfaction with which he had listened to the statement of the right hon. the Chief Secretary for Ireland; an admirable statement—not more distinguished for its talent and eloquence, than for the sound, liberal, and practical principles by which the whole of it was pervaded. By pursuing a similar system in every branch and department of the Administration of Ireland, the British Government would be enabled permanently to secure to itself the affections of its Irish subjects. It was an anomaly to the meanest apprehension, that a Society like this should be yearly allowed to receive a sum of money from the public and common purse, for public and general education in Ireland, and that the far greater portion of the mass of the Irish people should find the doors of the alleged public schools closed against them. The system was anything but general in its principle, whilst it was notoriously partial in its application. If parliamentary aid were to be given to the education of the poor in Ireland, it was necessary, fair, and just, that that aid should be national, and that the doors of the schools should not be closed against the great mass of the poor of Ireland. It had been contended that the proposed plan would fail. Until he saw, that it did fail, he should exceedingly doubt the accuracy of the prediction. If it should fail, if it should be found impracticable to unite the children of different religious persuasions in Ireland in one common school, for the purposes of general education, then, and then only, would he admit that the public money ought to be withdrawn from such an appropriation of it, and that the people of Ireland should be left to educate their children with their own resources. He firmly believed, that none of the present Societies in Ireland, following up the present principles, would be capable of establishing a system of education which would be generally espoused or cordially followed. That was the opinion recorded by the Commissioners in 1812 and 1824, and in that opinion he fully participated. The hon. and learned Gentleman who had just spoken, had consumed much time, very unnecessarily, in discussing the abstract principles by which the Kildare-street Society was actuated. Those principles were, no doubt, very good. But the question was, whether the plan which that Society had pursued had succeeded? Had it given satisfaction to the people of Ireland? How could the hon. and learned Gentleman represent that plan of education as prosperous, as having given satisfaction, in Ireland? He was astonished to hear such an assertion; well knowing that, from all parts of Ireland, complaints were proceeding that it had failed, that it had given general dissatisfaction. He had himself presented more than one petition to the House from different districts, stating, that although the Catholics contributed to the maintenance of these schools, there was not one Catholic child in the district who attended them. What was the fact? In 1826 it had been stated before a Committee of that House, that out of 560,000 children who were at that time receiving education in Ireland, only about 55,000 were in connection with the Kildare-street Society. He might regret that a Bible education—that best of all educations—was inconsistent with the tenets of the Catholic Church; for he understood that it was inconsistent with those tenets to read the Bible without note or comment, and that the reading must always be accompanied by that of some work illustrative of the Gospel morality;—he might regret, that the plan pursued by the Kildare-street Society was not acceptable to the great bulk of the Irish nation — but it became the hon. and learned Gentleman, in his zeal to disseminate Christian learning, and, better still, Christian feeling and Christian charity, to take care lest, in the prosecution of that object, he should excite sentiments directly the reverse of those which the hon. and learned Gentleman, he was sure, would wish to excite. He repeated, that he altogether and entirely approved of the plan proposed by the right hon. the Chief Secretary. It gave him, as he believed it had given the House in general, the greatest satisfaction. He thought the right hon. Gentleman had done well in proposing the establishment of a body of Commissioners for the purpose of regulating education in Ireland. If he might be allowed to throw out a suggestion, it would be, that those Commissioners should be the paid and responsible servants of the public. He was aware that voluntary and unpaid services were often zealous and valuable; but they generally continued for a short time, and those disinterested exertions did not last. He thought, therefore, that it would be better if the right hon. Secretary at once said, "These gentlemen have laborious and valuable duties—their time is wholly occupied, and it is fit that they should be remunerated." He pressed it upon his right hon. friend to recommend the Commissioners for salaries, and that they should be appointed and removable at the pleasure of the Crown. Another important point, in his view, was, that the Commissioners should not only have the management of the public funds for education, but that all private bequests, or other contributions for similar purposes, should also be placed at their disposal; otherwise there would be two kinds of patrons—those who had the control of the public funds, and those who dispensed private contributions.

Mr. *Wyse* said, that though he might differ from the right hon. Gentleman in minor details, he approved of his plan generally. The grand point was at length conceded, that Ireland was to have a national education—an education not of the few, but of the many. Hitherto there had been only a proselytizing system of education in that country. The Hibernian Society, in the face of its own declaration that it did not intend to interfere with the religious prejudices of the people, had, according to testimony before a Committee, made efforts to proselytize. The hon. Gentleman read several extracts from evidence taken before Committees, to prove that the schools established under the Kildare-street Society in Ireland, although they professed not to interfere with religious opinions, but, on the contrary, to respect even religious prejudices, did, notwithstanding, endeavour by all possible means to make proselytes. And what, he would ask, was the benefit of these labours? Those who were detached from the Catholic faith by such means, instead of acquiring a better religion, became of no religion at all—they became indifferent to all religion, and only waited for temptation to plunge into crime, while, in a temporal point of view, they suffered corresponding disadvantages. They were no longer employed, they lost their situations, and, perhaps, were sent out of the country. The Kildare-street Society had cost the public no less than 259,000*l.*, and its advantages to the Irish nation at large were not commensurate to the expense. The same system which had been pursued by the Hibernian Society, had been adopted by the Kildare-street Society; it had circulated the Scriptures without note or comment, contrary to the principles of the Catholics, who considered that readers of the Scriptures without that aid were liable to be led into error. Under the plea of admitting the people on certain conditions, they in effect debarred them from the schools. They placed the garden of the Hesperides before them, but guarded it with the two dragons of religious prejudice and political hatred. It was said that this Society would correct former evils; yet the first fruit of its labours was, to produce the new reformation, which flourished for a few months. The system which it pursued had never succeeded, and never would succeed, in Ireland. He approved of the establishment of a Board, which he wished to be restricted to ten persons, and those to consist of individuals of different religious persuasions. He would suggest, that the Archbishop of Dublin and the Roman Catholic Archbishop, and the Moderator of the Presbyterian Synod of Ulster, should be *ex officio* members; that the remainder should be laymen, selected from the four provinces. With this Board he would not allow the Kildare-street Society to have any interference whatever. It should be a body appointed by the Government, and under the control of Government. He would not go into a detail of the plans he would adopt to place the schools under proper control, and keep the expense incidental to their support within defined limits. Above all things, however, he would recommend that there should be no interference with the religious opinions of the pupils; he would leave their religious instruction to the church and to the chapel.

Colonel *Conolly* was strongly attached to the Kildare-street Society. Those who composed it were men of high talent, and they showed their capacity by electing persons perfectly competent to instruct. They were wholly incapable of interfering with religious opinions, and had never attempted to turn children from the schools. One of the strongest evidences of the goodness of the system was, that notwithstanding the prejudices which were entertained, and the calumnies which were uttered against it, the Society went on progressing; the benefits which it diffused were admitted to be of the most important nature by all who were not involved in political matters, and the schools increased beyond the expectations which were, at the commencement of the institution, formed by its warmest advocates. It was a Society, not for the originating, but for the promoting of the education of the poor, and the money which was contributed to support the establishment flowed more copiously from the community than from the Parliament. When such was the case, when individuals considered it to be so worthy of their sanction as to induce them to promote its objects by the unequivocal testimony of their pecuniary aid, he thought it would be as vain to deny the efficacy of the plan, as it would be superfluous to say much in its commendation. It had been said, that the Society did not give satisfaction to the people of Ireland. He could not reconcile that statement with the fact, that the children who were educated in the schools established by the Society, though every exertion was made to entice them away, left the schools with reluctance, and evinced every desire to return. The principle upon which they were conducted was approved of by the Presbyterians, and had the sanction of the Moderator. The schools were open to the clergymen of every persuasion to give instruction to the pupils after school hours, and could not therefore be said to be established on an exclusive principle. He was most ready to bear testimony to the thirst for knowledge which prevailed universally among the Irish, which was proved by the fact, that the lending libraries could not supply the demand which was made for books. He did not view the new plan which was to be introduced in a favourable light. He could not discover what advantage was to result from two days in the week being appointed for instruction, instead of a part of every day. He hoped Ministers would not abolish a system of education which had taken deep root in Ireland, and which had increased and was increasing every day.

Mr. *Sheil* said, that the passage from the holy writings quoted by the hon. member for Drogheda did certainly furnish a noble political aphorism. "Above all things (says the wise man) give me your heart." It was indeed the heart of Ireland that statesmen wanted: and if the Ministers followed the course which they were now pursuing, they would be sure not to demand the affections of the people in vain. A most salutary course had been adopted by the Government. The Kildare-street Society was to be at an end. The money was to be placed in the hands of Lord Anglesea—a lofty-minded trustee—a man who would administer it with a just regard to what was due to the feelings of the Irish people, and who stood on such a moral elevation that no prejudices could ever reach him. He (Mr. Sheil) hoped that the Government would sweep away every vestige of the Kildare-street Society. As to the Model school, it might be preserved, but placed under the control of the new Board. The engine might be taken out of the old ship that was to be condemned, and placed in the new and sound-timbered vessel. He must make a few observations on the fallacy of the observations of the hon. member for Dublin University. The reports of the Committees and Commissioners of education were all against him. They all concurred in their denunciation of Kildare-street. When truth had cost so much—when 40,000*l.* had been laid out in search of it, that expenditure should not have been made in vain. As to the partisans on both sides, let their evidence be repudiated. He claimed no credit as a witness. The advocates of Kildare-street and its antagonists had been so steeped to the lips in passion, and imbued so deeply by the immersion, that both should be listened to, if not with incredulity, at least with a caution amounting nearly to distrust. To all, from the performers on the boards of the Association itself, to those who had played equally important parts in the moveable stages supplied by conventicles and Brunswick clubs, let no heed be given. But what said the document? What said the reports? He must contend, that the Commissioners of Education, by their reports in 1812 and in 1825, had condemned the

Kildare-street Society, and that the Committees of the House in 1827 and 1830 had adopted the reports of the Commissioners, and had also declared the Kildare-street Society to be ill-adapted to the purposes of education. These reports state, that the system to be patronized by Parliament should be free from suspicion. Was the Kildare-street Society free from suspicion? Was it not, on the contrary, branded by the entire Catholic body with the charge of proselytism, and denounced for the instrumentality to which it had lent itself, for the accomplishment of a most sinister purpose? The Report of the Commissioners in 1825 finds one conclusive fact against the Kildare-street Society—namely, that 370 of its schools are in connexion with the Baptist and London Hibernian Society, "whose course of instruction," the Commissioners state, "is contrary to the declared rule and discipline of the Roman Catholic Church." The Commissioners had embodied in their Report the evidence of Captain Pringle and of the hon. member for Dundalk. The first, the Inspector-general of Schools, admitted, that he was solicitous for the conversion of Roman Catholics, and looked to the reading of the Bible as the means of effecting his holy purpose. The second (the hon. member for Dundalk) stated, that the London Hibernian Society had grafted its system in Kildare-street, and that the reading of the Scriptures without note or comment was incompatible with the principles and practice of the Roman Catholic religion. Such was the evidence of the supporters of the Society, but he would beg leave further to quote a conclusive extract from the evidence of Mr. Bricheno, an English gentleman, and a Protestant, who had visited the Kildare-street Society, and who thus spoke of it, "Nobody in Kildare-street would avow their object was the conversion of Catholics; but it was evidently a thing which the gentlemen of the Committee desired to see accomplished, without their taking any direct steps to effect it." Could any one, therefore, say, that the Society was free from suspicion, and, not being free from suspicion, how could it obtain the confidence of the people? But if it had not that confidence, what good would it effect? None. In fact, the whole body of the evidence went to prove, that the Roman Catholics of Ireland looked with indignation at the proceedings and system of the Society. But putting the Reports of the Commissioners and the testimony of witnesses aside, and looking into the general principles on which education ought to be conducted, the whole question resolved into this—"Do the Kildare-street Society require that the Scriptures should be read, and is that practice at variance with the discipline of the Catholic Church?" The first interrogatory must be answered in the affirmative. What should be the answer to the second? There could be no doubt, the reading of the Scriptures as a school-book, as a mere manual of elementary instruction, was against the principles of the Roman Catholic Church. That settled the question. But the hon. member for Dublin University said, that the Catholic clergy were of one opinion, and the laity of another. By the way, the hon. Gentleman began by protestations of perfect liberality, but at the close of his speech it required no telescope to see the steeples of Geneva rising in the distance of those prospects which he exhibited. But is there not some inconsistency in the course taken by the advocates of the Kildare-street Society? What! were they one moment to be told that the laity were a mere senseless herd, driven by priestcraft at its will, and at another that the Roman Catholics of Ireland were emancipated from this ignominious and debasing dominion? Was the Roman Catholic peasant to be a degraded slave, or a liberated philosopher, just as it suited the convenience of disputation? But he deprecated these distinctions between the Catholic laity and clergy. It was as important to conciliate the one as it was to concede to the other; or rather, both bodies were to be regarded, not only as closely united, but, for the purposes of wise legislation, as substantially identified. The Catholic clergy were composed of a body of 3,000 intelligent and educated men, and it was madness, instead of conciliating and soothing them, to offend them to exasperation. The priesthood of Ireland had an influence over the people of Ireland, and wherefore should they not? "They are the ministers," he continued, "of a religion, endeared by suffering, and fastened by persecution to the affections of the country. They superadd to the influence which is derived from their sacerdotal authority, the still better sway which is drawn from their apostolic conduct. If their dogmas go beyond (as some may imagine), their lives are within, the limits of the Gospel. There is no variance, no wide gap between their habits and the doctrines they inculcate. There are no diamonds in their mitres, nor gold in their crosiers. If they are Samaritans in belief, they are not Pharisees in sensibility. They live with the poor, and they feel for them. They are the friends, the benefactors, the companions of their flocks. If they admonish them with a parental strenuousness, they sympathize with them with more than a fraternal kindness. They are the trustees of their little interests, the depositories of their humble solicitudes; they give them solace in sorrow, food in famine, medicine in disease; they are the sentinels of the death-bed; and in the hovel that reeks with pestilence and steams with death, they take their fearless stand, and minister to the agonies of dissolution, at the hazard of their own lives, the last and most precious consolation. If, at the dead of the winter midnight, a knock should come to the door of the Catholic priest, and he should be told that one of those who are committed to his spiritual care lies at the point of death, in need of his immediate succour; does he turn him in a bed of down, and wrap himself in the warmth and snugness of his rectorial sinecurism, that he may dream of another benefice? No; he goes forth with a celerity to which a genuine piety gives wings, though the rain should fall in torrents on his head, and (I do not exaggerate) the snow should beat against his face—through many a lonely glen, and through many a deep morass, he makes his way. He arrives at the habitation of expiring wretchedness—he places himself in perilous contact with breath that exhales mortality—receives from poisoned lips the secret of the over-burthened heart—converts despair to hope, and wafts that hope to heaven; and if this be true—and who will say that it is not true—is it matter for wonder (reality has supplied the colours of that picture which I have thus boldly painted)—is it, I say, a matter of astonishment, that men like these should have an influence over the opinions, a sway over the feelings, a domination over the nation's heart? And would it not be the height of impolicy and consummate infatuation, for the sake of Kildare-street Society, to omit to make these men your fast friends, and even to array them in hostility against you? But you have found the way to win them, and to win us. We thank the Government for its determination to leave no vestige of Kildare-street behind; and we will repay it with a gratitude more than commensurate to the extent of the obligation."

Mr. *Shaw* said, that after the observations which had been made by hon. Members on his side of the House, he should not have felt it necessary to speak, were it not that all of them were members of the Kildare-street Society, and it might, therefore, be supposed that they were influenced in what they had said, by that circumstance. He, however, was wholly unconnected with that Society, and therefore, he rose to give his disinterested testimony in its favour. The leading principle of that Society was, to give the same facilities for obtaining education to all classes of Christians, without in any way interfering with the religions opinions of any. The very reports to which the hon. member for Louth had referred, had praised and borne testimony to its efficacious exertions. He did not pretend to say, that in its proceedings it had given universal satisfaction, but he believed that its members had laboured constantly and consistently in the attainment of the object for which the Society was instituted. The first principle which governed the Society was, that the teachers and scholars should be admitted uninfluenced by their religious persuasions, or rather, without reference to them, and that all religious controversy should be excluded from the Society. It was also a principle of the Society, that the reading of the Sacred Scriptures should be made the ground-work of education, but those Scriptures were to be without note or comment. These principles were most rigidly acted upon, and if they did not form a ground-work upon which both Catholics and Protestants might fairly agree, he did not know that any other could be found. It was suggested that by the present grant and its method of appropriation, all distinctions, all exacerbations of feeling between Catholics and Protestants would be done away with; but, on the contrary, he believed that thereby they would be very much increased. He believed that if the Secretary for Ireland adhered to his present plan, upon the principle of not making an exclusive grant, he would find, that this would be the last grant made by Parliament for any such purpose; for he had no doubt it would turn out to be the most exclusive grant which had been ever granted even in Ireland. For his own part he should oppose anything like exclusive education, but the Kildare-street Society was open to Catholics as well as Protestants. Mr. Donellan, a Catholic himself, to whose authority the hon. Member had referred, had expressly stated, that the object of the Catholics was to destroy the Kildare-street Society, in which object, Mr. Donellan said, they would succeed. He also thought they would succeed, for it was wholly inconsistent with the feelings of the Presbyterians, and of the members of the Established Church, that the Scriptures should be accompanied with notes and comments; and if hereafter countenance were to be given to the teaching of tenets of which the Protestant disapproved, they would, no doubt, withdraw themselves altogether from the Society. Though he had risen for the purpose of giving his opinion against the proposed transfer of the grant, yet he could not avoid saying, that he also thought that all these Societies did much better without parliamentary aid. He remembered well, that when the Sunday School Society was first instituted, it was proposed to give it assistance by a public grant. To this proposition an answer was given by an hon. Baronet, now a member of the Government, that such aid would only canker and rust the Society. The proposition was refused, and the Society flourished without it to such an extent, that no less than 200,000 children were benefitting from its instructions, and 20,000 teachers were employed in the task of instructing them gratuitously. If the present grant were to be taken away, he trusted that the cloud which now hung over the Kildare-street Society would burst and cover it with the showers of pure though private benevolence. He was not a Member of the Kildare-street Society, because he thought that it stood in no need of private aid, and that, he believed, was the reason that so small a sum had hitherto been subscribed towards its maintenance from private sources. If it were not for that consideration, the withdrawal of the grant might be considered as a reproof to the Gentlemen of the Committee of the Society. Still, however, he objected to transfer the grant for a purpose which, according to his conception, was not a proper one. Though Catholics were admitted now to a share in the State, a circumstance at which he rejoiced, though he differed from those around him in that feeling, and must say, that the result went more to establish the correctness of the opinions of others upon the subject than his, yet he must say though he was not disposed to speak unkindly of the Catholics, that this was a Protestant State, and Protestantism was part of the law of the land, and it would not be right, therefore, to make a grant of public money to carry on the education of the people, without its being connected with what they, as Protestants, called religion. The hon. Gentleman had asked if any father would consent to place the Scriptures in the hands of his child, unaccompanied by note or comment? He would say, that he, as a father, though desirous of giving every instruction to his children upon religious matters, would yet prefer giving them the Scriptures to read without note or comment, not because he believed there were no difficulties in comprehending them, but because he believed that those difficulties were not to be overcome by human wisdom. They were equally impenetrable to the old as to the young, to the rich as to the poor, without more than human aid in their development. He had witnessed a great ceremony (the Coronation) on the preceding day, on which occasion the Bible was given to the King, in order that he might learn to be "made wise unto salvation," and in witnessing that, combined with the many alterations that were now in progress and the many attacks made on every part of our institutions, both in Church and State, he did feel an apprehension that the time was fast coming when all kingly ceremonies were to be transferred to schedule A, and when the country must seek for a new government in the lottery of constitutions. He would not then resist the Motion, but he would give notice, that if ever this grant should be again proposed, he would oppose it *in toto*.

Mr. *Spring Rice* conceived it his duty to say a few words on this important subject. Much had been said in praise of the plan of the Kildare-street Society, and he acknowledged that he approved of it, if it could have been acted upon. It had been stated, that the evidence of Dr. Chalmers had been in favour of that plan, but in the examination of that gentleman, he stated most distinctly, that in his opinion the attendance of children at Scripture Classes should be at the option of the parents, and no compulsion should be used towards any members of the schools. This was exactly the reverse of what the Kildare street Society had done, and was doing. The injurious influence of that Society even extended to private institutions. In Captain Owen's evidence, he stated that Lord Courtown's school, so long as it remained connected with the Kildare-street Society was thinly and irregularly attended, but as soon as that connexion had ceased, the children frequented it regularly. It appeared also from the evidence of Mr. Blake, in 1830, that out of 104,000 children belonging to the schools which were supported by the grant, 47,000 only were Roman Catholics, while out of 430,000 children educated in schools supported by private contributions, 319,000 belonged to that Church. Thus, in the schools supported by their own funds, the Roman Catholic scholars were in the proportion of nine to five of the whole; which, in his opinion, would go far to prove, that if no grants were made by Government, education would still go on; indeed it would go on better if less interfered with than at present. However, his Majesty's Ministers had, at length, brought forward a plan of education for Ireland which would be hailed by that country as a proof that its welfare was duly considered by them.

Mr. *James E. Gordon* said, that he had heard so much from both sides of the House in the course of the last six hours, that he was, to use an Irish phrase, all but bothered as to the particular course which he should pursue. His first intention was, to answer *seriatim* the speech of the right hon. the Secretary for Ireland, but in that intention he had been in a great measure anticipated by those who preceded him, and more especially by the very able speech of the hon. and learned member for the University of Dublin. He had afterwards purposed to reply to intermediate speeches on the same side, but in this also he had been partly anticipated; and as he found it no longer necessary to vindicate either the principles or the practice of the Kildare-street Society, he should proceed to take a more general view of the question of Irish education than the system of any particular institution would admit. He thought it right, however, to premise, that upon the subject of education he was no partizan. He was no further a friend to any society, or to any system, than he believed it applicable to the moral condition of Ireland. He would also observe, that he had proceeded as far as the limits of principle would admit, in the endeavour to approximate parties on this great question, and the best proof that he could give of the sincerity of his intention was the fact, that he had proposed to the heads of the Roman Catholic hierarchy, about ten years ago, the publication of the Rhemish version of the New Testament, and had actually succeeded in procuring their sanction to an edition of 20,000 copies of the work. In the same spirit, and with the same intention, he had established the Society in Glasgow, which had been alluded to by Dr. Chalmers in his evidence, where a large body of Roman Catholics were receiving a Scriptural education, under the joint direction of a Committee of Roman Catholic and Protestant gentlemen, among whom was the Roman Catholic Bishop himself. With respect to particular institutions he would say, that it was not to systems or societies, but to that authority to which all ultimate appeals in moral questions must lie, that we were to look for a correct view of our obligation on this important subject, for if the volume of Revelation contained instructions which were applicable to the subject under consideration, we were no longer free agents as to the course which we should pursue. That it did contain such instructions was perfectly clear to those who were acquainted with its contents, but as he did not mean to inflict upon the Committee the penance of what they might consider a theological dissertation, he would simply state, that the views to which he alluded had been recognized and acted upon by the great body of those who were at this moment engaged in the conduct of Irish education. It was, with this respectable and influential body, a fixed and unquestionable principle, that the Word of God should not only enter as an element into every system of popular education, but that it should constitute the very foundation of the system. Acting upon this principle, they had combined their exertions in an effort to educate the poor of Ireland, and the first thing which he proposed was, to direct the attention of the Committee to the result of the experiment. In doing so, he should follow the advice which the hon. member for Louth had addressed to them in his eloquent appeal upon the subject. That hon. Gentleman had forewarned them of Roman Catholic and Protestant prejudice upon this question, and he had directed their attention to the labours of Committees and Reports of Committees. Now that was precisely the authority to which he (Mr. Gordon) meant to appeal, and had only to request, that if any hon. Member might think it worth his while to reply to his (Mr. Gordon's) statements, he would condescend to grapple with his facts and his figures, instead of dealing in vague and general declamation. It appeared by the Report of the Royal Commission of Education, which sat in 1812, that there were at that time 200,000 children in attendance upon the various schools in Ireland. Of that number, he had calculated by reports and other data which could be relied upon, that there were 20,000 in attendance upon schools in which the Scriptures were taught. By the Report of the last Commission it appeared, that there were in 1826, no fewer than 568,964 children in attendance upon the different schools returned at that period. There was, therefore, an increase of 368,000 scholars in a period of somewhat more than thirteen years. Now this suggested a very important question; namely, in what description of schools had the increase taken place? The answer to this question must determine, to the extent, at least, that experience could be considered a fair criterion, the popular preference under the existing circumstances of the country, and perhaps the Committee would be surprised at the discovery. He had been at great pains, with the assistance of the Reports of the Commissioners, and other Reports to obtain a correct analysis of the aggregate, and he found, that there were not fewer than 330,000, out of the total increase of 368,964 collected, in attendance upon Scriptural schools. Of this number at least one-half were Roman Catholics. Could it be possible, he would ask, to adduce a more satisfactory proof of the acceptability of Scriptural education to the great body of the people? But he would make a closer approach to the actual feeling of the people upon this question, by applying a more particular test. In the schools under the Association for Discountenancing Vice, containing in 1825 an aggregate of 15,922 scholars, the Commissioners observe, with evident surprise, that no fewer than 6,344 of the number were Roman Catholics. He must contend, therefore, that if so large a proportion of Roman Catholics were found in attendance upon schools of so rigidly Protestant a character—schools in which the Scriptures were constantly read, and the Church Catechism taught—there could be no very strong objection among that body even to what was considered the most repellant form of Scriptural education. But further. In the parochial and diocesan schools under exclusively clerical superintendence, and following the same system, there were 36,498 scholars, of whom no fewer than 15,303 were Roman Catholics. In the schools under the Hibernian Society, which the Commissioners regarded as the very traps of proselytism, about two-thirds of the gross attendance were Roman Catholics. In the Kildare-street Society at least one-half the number were of the same description, and even the Baptist Society, sectarian as was the aspect of its proceedings, had a still greater proportion of Roman Catholics frequenting its schools. In descending from institutions to particular districts and parishes, he would merely instance one out of a multitude of examples. In the parish of St. Mary's, Dublin, two schools were reported in connexion with the Church, and so exclusively Protestant were they considered, that they ordinarily went by the name of "the Ministers' schools." Out of 180 scholars belonging to these schools, the majority were Roman Catholics, although there were no fewer than three Roman Catholic free-schools in the same parish. Thus he was warranted in saying, that an experiment had been made by a body of men acting upon the simple dictates of Christian obligation, and, that that experiment had effectually succeeded up to the extent of the available resources placed at the disposal of the conductors of the system. The progress of Scriptural education had not been checked by the opposition of Roman Catholic priests, but by the paucity of pecuniary resources. That their opposition was general, no one acquainted with Ireland could doubt, and that in many instances it had succeeded, for a limited time, at least, was equally certain. Still, it was by the amount of means at the Society's disposal, and not by the power of opposition, that the boundary line of the system was defined. The next question which he would wish the Committee to consider was, whether the same experience which had ascertained the practicability of Scriptural education would justify the admission of the Roman Catholic priesthood as joint conductors of a system of national instruction. This question would be answered by another, which fortunately for those who had their suspicions as to the competency of that body, was easily determined. What then, he would ask, had been the conduct of the Roman Catholic priesthood of Ireland, with reference to the education of the juvenile part of the population? It was, he would assert, a notorious fact, that up to the period when the stirring influence of Scriptural education began to affect their interests, they were totally indifferent to the subject. In other words, they had nothing to do with general education in any form. Then what was the course which they adopted? Their first effort was unconditional opposition, and it was not until they discovered that their exertions were fruitless that they consented to establish schools. But what was, the character of the schools which they established? Nothing, in general, could be more wretched, and as the sole object was, to withdraw the youth of their communion from the Scriptural schools which had invaded their neighbourhood, they, in most instances, relinquished the school as soon as the object of its institution was accomplished. He did not stand there as the calumniator of Roman Catholic priests, and he should now present to the Committee what he believed they would admit as tolerably conclusive evidence upon the subject. The total number of schools in 1826 was 11,823, containing, as he had already stated, 568,964 scholars. The point, then, which it was necessary to determine was, what proportion of that aggregate was receiving education under the Roman Catholic priesthood? By the sworn parochial returns of the priests themselves, it appeared, that of 11,823 schools, no more than 353 were in connexion with that body; and out of 568,964 scholars, the proportion to which they laid claim was just 53,847; that was, about one school for every seven parishes in Ireland, and somewhat less than a sixteenth part of the general attendance. But he would further remark, and it was most important that it should be attended to, that the far greater part of the schools so returned by them were affiliated hedge schools, and others of an equally miserable description, got up for the temporary purpose of the opposing Scriptural schools which had been established in their neighbourhood. This was capable of the most conclusive proof by the returns made to the Commissioners, which specified the date of the origin of each school with the time that it came under the direction of the individual patron. If this was not conclusive evidence of the policy of the Roman Catholic priesthood, as it regarded general education, he was at a loss to understand what evidence meant. And was such a discovery among criteria which recommended that body to Government as the joint patrons and superintendents of national education? But another and more important question remained to be determined, namely, the question as to the character of the education which, at the expense of a Parliamentary grant, they would, according to the proposed system, be deputed to confer upon the youth of their flocks. For it should be recollected by the Committee, with respect to the separate religious instruction to be conferred, that the Roman Catholic pr ests were perfectly free agents. That House could not dictate to the Roman Catholic hierarchy of Ireland the theology which it was to teach to the members of the Catholic Communion, nor was any interference intended. Recollecting, then, the advice of the hon. member for Louth, he would again have recourse to the reports of Parliamentary Committees. There he found a return of a class of schools under what was termed the brotherhood of the Christian doctrine; and surely, if in any schools in Ireland we had a right to look for a fair specimen of purely and unexceptionably Roman Catholic education, it would be in schools under a fraternity which enjoyed the special privilege of educating youth, secured to them by a bull from the pope of Rome. In these schools, however, where there was no Bible, there were copies of Pastorini's Prophecies, and the Irish Historical Catechism, books well known to the public as among the strongest incitements to sedition and rebellion that could be named. The next example which he should instance would be the schools under the immediate superintendence of the celebrated Dr. Doyle, and he had a particular reason for making that selection. It might be in the recollection of the Committee, that the right hon. member for Limerick had asserted upon a former occasion, in reply to some of his observations, that the Scriptures were used in every school in Dr. Doyle's diocese. Being somewhat sceptical upon this point, he (Mr. Gordon) had requested a respectable friend of his upon the spot to visit a few of these schools, and he could now produce to the Committee the result of a visit to eight, where, with one exception, no copy of the Scriptures appeared; and where, in answer to questions upon the subject, it appeared, that they were not even read in more than two or three of the schools, and then only in small portions, by the master or mistress, when the children were leaving the school. And this was what was trumpeted forth to the British public as Scriptural education. The next example which he should select would be the schools in Dublin, under the direction of the Roman Catholic Metropolitan Bishop and his Clergy. In a list of twenty of these schools, recently visited by a gentleman residing upon the spot, it did not appear that the Scriptures were even read by the teachers in more than one or two instances, and these by no means certain. So much in proof of the fact that the Scriptures are still excluded from the Roman Catholic system of popular education, even in exclusively Roman Catholic schools under clerical superintendence, and when there was nothing to be apprehended from Protestant glosses or Protestant intercourse. He would next introduce the Committee to a view of what was actually taught in the absence of Scripture, and what it was now required by his Majesty's Government the public should support. In the list of the books published for the use of schools by the Catholic Book Society, under the patronage of the titular Bishops and Archbishops of Ireland, he found "The Grounds of the Catholic Doctrine," a book in very general use through Ireland. Among the reasons given in this work why a Roman Catholic cannot conform to the Protestant religion, we had the following:—"We are convinced that they (the Protestants) are schismatics by separating themselves from the communion of the Church of Christ, and heretics by dissenting from her doctrines on many substantial articles, and consequently, that they have no part in the Church of Christ." In the notes to "The Evangelical Life of Christ," published under the sanction of Dr. Troy in 1820, as "a very proper family and school book," we had the following specimens: "The Catholic Church alone retains the true worship into which he that enters not, and from which he that goes out, forfeits the hope of life and of eternal salvation. Whoever falls from his communion, neither is, nor can be called, a Christian." He had now to instance a work of still greater authority, which was the edition of *The Christian Doctrine*, revised by Dr. Doyle, and prescribed by him to be taught in the schools of his diocese. Of this work, the least that he should say was, that it misquoted, mutilated, and contradicted, the Word of God—that it taught doctrines which struck at the very root of moral obligation, and flung out of the pale of salvation those who should presume to reject them—and that it stigmatized the Protestants of the country as heretics. Sufficient, he thought, had been adduced to afford the Committee a correct view of the sort of instruction which it was proposed to promote at the expense of a parliamentary grant. And was it, he would ask, consistent to call upon the Protestant population of this country to sanction the diffusion of such principles? The hon. member for Ilchester (Mr. Petre) seemed to smile at such an appeal, and if he (Mr. Gordon) was alluding to the sort of instruction to be found in the Roman Catholic Catechisms of England, bad as he considered it, there would be less objection to the grant. But perhaps the hon. Member opposite was not aware that there was in the Church of Rome a popular creed for Ireland, and another for England—that they had a set of catechisms adapted to the ignorance of the one country, and another set of catechisms for the comparatively advanced knowledge of the other country ["*no, no,*" *from several Members.*] Hon. Members might exclaim "No, no," but he pointed to the works now on the Table before him as an answer, and would give, as an example, the case of the Second Commandment, which was excluded from the catechisms sanctioned by the Roman Catholic hierarchy of Ireland, while it was taught in those which were authorised by the Roman Catholic hierarchy of England. Another, and, if possible, a more serious objection to the proposed scheme was, the effect which it would produce upon the present system of Scriptural education. It had been proved by experience, that the education of the people in schools where the Scriptures were taught was practicable, and that these schools, in despite of opposition, had made progress up to the limit of the means placed at the disposal of their conductors. But it had been also proved, that schools established by the Roman Catholic priesthood, for the purpose of opposition, had in most instances withdrawn, for a time at least, the Roman Catholic children from the Scriptural schools. Now what, he would ask, would be the effect of the establishment of such a system of general education as the right hon. the Secretary for Ireland proposed? It would, he had no hesitation in saying, drain off the youth of the Roman Catholic persuasion from the existing schools, and either rend to the earth the noble fabric of Scriptural education, or effect a complete separation between the Roman Catholic and Protestant parts of the community. It would enable the Roman Catholic priesthood of Ireland to effect that by means of a Government grant, which they were unable to effect in their present circumstances. In fact, it was neither less nor more than a call upon this House to co-operate in their efforts for the subversion of Scriptural education in Ireland. He would also forewarn his Majesty's Ministers, that they had no assistance to expect from the large, influential, and respectable body of men who had hitherto, at the expense of so many sacrifices, conducted the present system. They would be no parties to such a compromise of principle. They would not subscribe either their means or their exertions to overturn a system which had cost them so much; and did his Majesty's Ministers conceive that they would be able to carry any plan of education into effect in Ireland without the co-operation of that body? If so, they were totally unacquainted with the circumstances of the country, and the nature of those difficulties which every attempt to educate the people had to encounter. The clergy and gentry of Ireland might, and would, continue their exertions in the cause of education, but those very exertions would produce an effectual separation between Roman Catholics and Protestants, and thus be productive of the very consequences which the scheme of his Majesty's Ministers was intended to obviate.

Mr. *O'Connell* did not think the House had ever witnessed a greater contrast than was exhibited that night in the House, between the two speeches on the same subject; one by the right hon. Secretary, and the other by the hon. Gentleman who had just sat down. The one was distinguished by good taste, good feeling, and charitable consideration upon those points in which others might differ from him. The other, that of the hon. member for Dundalk, was marked by the want of those qualities, by bigotry, intolerance, and ignorance, which were new to many hon. Members, but not to him (Mr. O'Connell), recollecting the quarter from which they came. But even from that quarter, he was astonished at the length to which they had been carried in this instance. Respect for the Committee prevented him from applying the deserved terms to the charge which had just been made against the Irish Catholics. He did not rise for the purpose of replying to the farrago of bigotry to which the Committee had been listening for the last hour. The calumnies which had been just uttered, had been heard and refuted a hundred times over in Ireland. The story of the number of Catholic children who had been brought, against the will of their priests, to Protestant schools, was too stale now to make any impression. He had himself heard in the town of Ennis the story about the 400 being brought to one Protestant school. And how did the Committee think it was managed? Why the schoolmaster acknowledged that he gave each of them two pennyworth of gingerbread for coming to the school. The same master dined on one occasion with the Catholic priest, and after they had taken some glasses of wine, the schoolmaster said, "What a good thing this religion is for you and me." This had been openly stated on the authority of the priest, the Rev. Mr. M'Kiernan, and to this day the schoolmaster never ventured to contradict it, and no doubt for obvious reasons, because he could not. He was bound, however, to state, that this veracious master afterwards said, that it was said in joke. It had been stated publicly, that there were 3,100 schools in one district in connexion with the Baptist Society, and he had no doubt but that the Committee would be amused with the manner in which this number had been made out. It was thus: the actual number of the schools stated in the Report of of the rev. Gentleman who, residing in the district, furnished the Report, was thirty-one, as declared by the rev. Gentleman himself. Now, by the slight operation of adding two ciphers, the thirty-one schools were converted into 3,100. After such facts, the Committee were not to be surprised at any statements, however exaggerated, made in such quarters, particularly when such easy methods of imposition were discovered. Yet such statements had made impressions on English credulity, and the Committee was gravely referred to the figures and calculations of these societies as unanswerable arguments. The hon. member for Dundalk said, that if the Committee doubled the funds of these societies, he would undertake the number of scholars would also be doubled; of this he (Mr. O'Connell) had no doubt, considering the terms and calculations of the societies. In addition to the misstatements respecting the schools, they had heard of the often-repeated and as often-refuted calumnies against the Irish priesthood, and, amongst others, an attack was made upon that able and most excellent Bishop, Dr. Doyle. He who electrified the Committee of the House of Lords, before whom he was examined, where he answered, in reply to a question put to him respecting his income:—"It is not a matter to which I attach any importance, as I have no care for money." However, such a man the hon. member for Dundalk had selected for abuse. It was true, that the rev. Prelate had a controversy with Dr. Elrington on some disputed point, and the hon. Member might think Dr. Elrington right, but he thought Dr. Doyle right; but however that might be, the point could not be decided. The hon. Member had accused Dr. Doyle of having mutilated some passages from Scripture, and having inserted them in that state in his catechism. If such a charge could be made out, the streets of Carlow would have been placarded with accounts of it. He was quite aware that the differences which existed between himself and the hon. member for Dundalk were matters of religion; and it was no wonder that persons thinking themselves right, should wish others to think of them as they thought of themselves. The hon. Member thought the Catholics wrong: he for his part thought the Protestants wrong. But, if either of them had the proper and necessary feeling of Christian charity, which was expected from persons professing in so many things the same doctrines of Christ, they ought not to make their conscientious differences the grounds of rancorous personal hostility, and far less were they justified in making them the grounds of gross calumnies. The hon. Member said, that the Roman Catholics of Ireland had one description of catechism, whilst those of England had another and a totally different one, wishing the Committee to believe, that in this country the public see the best side of the Catholic religion, whilst its real deformity is exposed in Ireland. Could it be expected that the credulity of the Committee would go as far as to believe this statement, whilst every Catholic in both countries knew the statement was utterly unfounded? Was it possible to believe, that such a difference should exist amongst Catholics professing the same creed, and speaking the same language, and that no better proof of the fact could be found than the assertion of the hon. Member? The Committee were not to be surprised at the reiteration of such calumnies, when they knew that some persons lived and made their livelihood by their promulgation; that by their zeal and activity in giving currency to such calumnies, some individuals had been raised from low situations to occupy a place in society, and were brought into circles in which they could not otherwise expect to move. Was there, he would ask, sufficient credulity in England to be imposed upon by such statements? There was, indeed, and, he regretted to say so, enough of it in Ireland, and a profitable use had been made of it, but now it was seen through there, and the deceptions of those who had practised upon it had been detected; nevertheless, the persons who practised those arts, still talked of the ignorance of the Irish people, and referred to figures in support of their statements. The hon. member for Dundalk might have the multiplication table at his fingers' ends, but did that prove more than that he had been at school. In reply to what had been said by a Scotchman of Irish ignorance, he should not say one word in disparagement of that people, but he must be allowed to say, that some very strange men now and then went from that country to enlighten Irish ignorance, some of whom gave every day fresh proofs of their prudence in not stopping at home. He would not retort the charge of ignorance on the hon. Member's country, but he felt perfectly justified in flinging back the charge upon the hon. Member himself, for he had betrayed the grossest ignorance on subjects respecting which the most ordinary capacity might be well informed. What could be thought of the knowledge of a man who did not know, until reminded of it in the House, that he himself, an Episcopalian, was a Dissenter in his own country, and gave so many other proofs of his ignorance upon subjects with which it might be supposed he ought to have some acquaintance? The Catholic priesthood of Ireland came in for their share of his abuse, on the ground that they were enemies to education and the diffusion of knowledge. Was he ignorant of the fact, that there was scarcely in Europe a college, except that of Dublin, which was not founded by Catholic clergymen? If it were not for the dread of detaining the Committee longer, he should shew, incontestably, that the priests of Ireland were the friends of education. In every village in Ireland they had schools for the moral and religious education of the poor; and the assertion that they were inimical to education, could be refuted by every unbiassed person who had visited that country. He acknowledged that in many—nay, most—situations, their means were inadequate, and it was from that cause alone that education in that country was deficient. When the hon. Member talked of the deficiency of zeal for education on the part of the Catholics, he would ask, did not the nuns educate a large portion of the poor Irish females? and the Committee ought to know, that there was a convent in every town of importance in Ireland. These amiable ladies, separating themselves from all worldly and domestic ties, devoted their lives, in most cases, to the gratuitous education of poor female children. The education monks who had been sneered at, were, for the most part, respectable tradesmen, who, retiring from business with a few hundred pounds, devoted their time to the gratuitous instruction of poor children. The charges against these classes of persons were wholly untrue, and were only intended to impose upon Englishmen. With respect to a more agreeable topic, the project of the right hon. Secretary, he had heard it, in common with many others, with great satisfaction. He looked upon the proposed change as the commencement of a new era in Ireland, and he sincerely hoped, that the promises which were made would be fully realized. No more effectual step could be taken to put down agitation; no injustice had been done to the Kildare-street Society, which had received due notice of the intention of Government. All he wished for was, that Catholic children should participate impartially in the funds apportioned to education in Ireland, but he did not wish, in the least degree, to interfere with the Kildare-street Society, or any other Protestant society, in the manner in which they educated Protestants. Let the Protestants and Presbyterians be educated in Scripture, or any other course of study they pleased; all the Catholics asked, was the benefit of education, accompanied with their own mode of religious instruction. To this it was replied, that the Catholic religion was false, and ought not to be propagated. Yet he and other Catholics were called upon to support the Protestant religion, which they believed to be false. As the fund for education was obtained from Catholics and Protestants, the children of both should equally partake of its benefits. It was charged upon the Catholics that they would not be content with equality, but that they sought ascendancy. He, for one, wished to state, and he made the declaration in the presence of that God who would judge him by what he then stated, to eternal weal or woe, that he should be as strenuous an opponent of Catholic ascendancy in Ireland as any Protestant in that country. Ascendancy only corrupted religion, and he loved his religion too fondly to wish to see it in the ascendant. The hon. and learned member for Dublin College said, that Catholics belonged to the Kildare-street Society. That was true, but he, with others, left it when they found that it had changed its principles. The statement of the influence of the Catholic priests was used in several ways, as it suited their opponents for the moment. At one time they were represented as having lost all influence, and at another it was stated, that their influence was paramount. They had influence, and he was glad of it, for the sake of the people. They were opposed to the Kildare-street Society, and when its original plan was departed from, it was checked. Its schools formerly averaged an increase of 239 in the year, but they were only now about twelve; and this falling-off took place whilst the demands for schools increased. He objected to the Society, because it had produced the most violent discontent. When the Society departed from its original plan, coercion was practised. The fathers of children who did not go to the school were driven out of their houses, and the mothers to starvation and beggary; and he could prove that cases of this kind were not of rare occurrence; and he did not hesitate to say, that many of the disorders in the county of Clare were owing to that and other such societies. The unpopularity of the Society was easily ascertained by its failure, notwithstanding the liberality of the grants to it. But he was glad now to see one great cause of discontent removed; he hoped the promises and expectations of Government would be realized, and that the benefits of education would be equally extended to all classes.

Mr. *John Browne* said, he should have opposed the grant to the Kildare-street Society, if it had been proposed to be continued. He was glad it was not, and that a new plan of education had been determined upon, which should have his support.

Colonel *Perceval* rose for the purpose of correcting an error into which the hon. and learned Member had fallen, respecting the publication of a list of 3,100, instead of thirty-one schools.

Mr. *O'Connell* apologised for interrupting the gallant Officer, which he did for the purpose of explaining what he had said. It was, that a report was published, on the authority of a clergyman, stating, that 3,100 schools were established, when, upon inquiry of the reverend gentleman, he stated, that, in his report, there were only thirty-one schools named. This he (Mr. O'Connell) stated on the authority of the reverend Mr. M'Cabe, who demanded the authority upon which such a statement had been made, and the above was the substance of the answer of the reverend gentleman.

Colonel *Perceval* said, the statement was made on the authority of the reverend Mr. Randall, a Baptist clergyman of great respectability. The report was published with the original and correct number of thirty-one schools in several of the newspapers, but in *The Times* paper, and in that paper alone, had the mistake been committed, of substituting the number 3,100 for thirty-one. This was evidently a mistake, but he thought it right to show how it happened.

Mr. *O'Connell* was not aware that any pains had been taken to correct the mistake when it was discovered.

Colonel *Perceval* was glad to correct any erroneous impression which had been created by the mistake, and it was now evident that it was nothing else.

Mr. *James E. Gordon* said, that he rose to put himself right with the Committee. He was no match for the hon. member for Kerry in the language of the fish-market. [*cries of* "*order, order.*"]

Mr. *O'Connell* appealed to the Chairman, whether the hon. member for Dundalk was not grossly out of order.

Mr. *Bernal* said, that if he was called upon to give an opinion, he should feel at a loss to decide, as he had heard such language since he occupied that Chair as rendered it difficult for him to say what was or what was not in order.

Mr. *James E. Gordon* said, he should leave it to the Committee to pass a judgment upon the language which had just been addressed to it by an individual calling himself a gentleman. He had called upon that hon. Member to grapple with his arguments and his facts, and he (Mr. Gordon) appealed to the recollection of the Committee, whether he had so much as attempted to do so? He had hoped, that the hon. member for Kerry had so far profited by experience as to give him (Mr. Gordon) credit for the truth of what he asserted in that House, or, at least, to give him credit for being able to prove, that what he asserted was supported by documents and facts in his possession. The hon. member for Kerry had flatly contradicted the assertion, that Dr. Doyle, in his edition of *The Christian Doctrine*, had been guilty of publishing misquotations and mutilations of Scripture. How, then, stood the fact? He held in his hand the publication alluded to, and the Committee should judge for itself. [Here Mr. Gordon quoted a passage in support of the doctrine of giving honour to angels and saints, in which it was said St. John did, as proved by the following text in Apocalypse xxii. 8. "I fell down, to worship before the feet of the angel who shewed me these things."] Here (said Mr. Gordon) one-half of a passage of Scripture is quoted to prove that St. John fell down before an angel, while the other half of it, containing these remarkable words—"Then saith he unto me, See thou do it not," is omitted. Again, in order to obtain a Scriptural sanction for the distinction between mortal and venial sin, an equally unwarrantable liberty was taken with 1 John i. 8, in which it is asserted, that "the blood of

Christ cleanseth from all sin." Into this passage, as quoted in *The Christian Doctrine*, the word "mortal" has been introduced, by which it appeared to the ignorant that the blood of the Atonement was only shed to free mankind from the guilt of what the Church of Rome had termed "mortal" sin. These were mere examples of the awful liberty that had been taken with the Word of God throughout the book; and nothing but a respect for the time of the Committee prevented him from quoting fifty such cases. If any member of the Committee doubted the fact, he was ready to point them out. Then again, he had been charged by the hon. Member with audacious folly for asserting that there was a difference between the Irish and English Catechisms. And was it after the use of such expressions that the hon. member for Kerry had risen to call him to order? The hon. Member, in his denial of the charge, had talked about the number and the translation of the Commandments; but it was the subject matter, and not the number of them, with which he (Mr. Gordon) was concerned. He cared not whether the number were ten, or twenty, or thirty; nor did he think it worth while to inquire about the division of that number. What he looked to was the substance; and he had now to refer the attention of the Committee to the facts of the case. He held in his hand the Irish and English catechisms, as sanctioned by the Bishops in both countries; and while the subject matter of what Protestants call the Second Commandment was omitted in the Irish catechisms, it was given in the smaller catechisms of England. The hon. member for Kerry had referred to persons who had made a profit of religious controversy in Ireland; that certainly did not apply to him, for he had never made any profit by religious controversy either in Ireland or, any where else. The world had the benefit of his exertions, such as they were, without money and without price. But he could refer the Committee to one who had made money in Ireland, not as the inculcator of Christian truth, but as the minister of strife and sedition. He could refer them to one whose exertions in that character had done more to feed the gibbet and to fill the convict ship, than all the other causes that were active in that unhappy country. Nor were such exertions gratuitous, for the penury of the poor, who had been the dupes of his delusion, was taxed to remunerate his services, and the tribute, as it was termed, had been, in many instances, extorted under the threat of ecclesiastical anathemas. He did not mean to boast of his services to Ireland, but he hoped he might take credit to himself for having done something for the physical wants, as well as for the moral necessities of the poor of that country. He, at least, could not reproach himself with not having done the most that his means and his opportunities would admit.

Mr. *O'Connell*, after shortly replying to the extracts read by the hon. Member, said, he could not pass over the remark about the anathemas of the Catholic clergy without one observation. Some of the statements of the hon. Member contained great falsities, but not one greater than that relative to the compensation which he had received from the Irish people. He had received a compensation from his countrymen, and those might sneer who had not made the sacrifices that he had, and who little knew how he had earned such a compensation. At the time he was returned for Parliament, he was gaining 7,000*l.* a-year by his profession, and if his countrymen thought fit to make him some compensation for the loss, he did not see why he should be taunted for it. The hon. Member had said something about taking the bread out of the mouths of the poor; and, in reply to that, he would only say, that he would rather starve than be guilty of such conduct, and that the statement was totally unfounded in fact. Other countries had made compensation; the senates of other countries had made compensation; but he considered it a much higher honour to receive such a compensation from his countrymen than from any senate, and regarded it as the proudest circumstance of his life. The hon. Member had spoken of the difference between the two catechisms, but he ought to know, that the catechism used by the Catholic Church was the same as that used by Luther. In fact, that was only omitted which was stated in the preceding Commandment, in order not to give the same Commandment twice over.

Mr. *Bodkin* rose to thank the right hon. Secretary, on the part of his constituents, for the proposed alteration on the subject of Irish education. He perfectly concurred in what had fallen from the hon. member for Kerry, and treated the attacks made by the hon. member for Dundalk with that contempt which they deserved.

Mr. *Maurice O'Connell* said, that the statements of the Kildare-street Society were not to be relied on, for he knew, that with respect to its schools which were said to exist in the county of Clare, many had ceased to exist, and that others were entirely in the hands of the Roman Catholic priests. He did not envy the hon. Gentleman for Dundalk the exhibition which he had made that night; and if he had a child to instruct, it would not be to that hon. Member's tuition that he would confide it.

Mr. *Mullins* said, he knew enough of the Kildare-street Society to declare, that however perfect its system might be in theory, it had degenerated in practice. It excited and promoted religious discord. He hoped, therefore, now to see such proceedings put an end to: and he should be ready to support any other system which was likely to diffuse useful information among the poorer classes, provided it did not interfere with the religion of those who were to receive instruction from such society.

Vote agreed to—House resumed.

HOUSE OF LORDS,

Monday, September 12, 1831.

Minutes.] New Peer. William Fitzharding Berkeley Esq., was introduced by Lords Ducie and Foley, and took the Oaths as Lord Segrave.

Petitions presented. By the Earl of Haddington, from the Owners and Occupiers of Land in Caithness against the use of Molasses in Distilleries.

HOUSE OF COMMONS,

Monday, September 12, 1831.

Minutes.] New Writ issued. For the County of Wexford, in the room of Arthur Chichester Esq., created Baron Templemore.

Bill committed. Money Payments Repeal. Read a third time. London Coal Regulation.

Petitions presented. By Mr. Jones, from Inhabitants of the Port of Kilwiddy, to be made one of the Boroughs contributory to Carmarthen. By Mr. Shaw, from Inhabitants of Galway, in favour of the Galway Franchise Bill, and from several Guilds and Corporations in the City of Dublin, for Compensation to the Coal Meters of that City. By Mr. Ellice, from Coventry, praying for the revision of the Corn Laws.

Church Property—(Ireland)]. Mr. Henry Grattan presented a Petition from Navan, praying for a more equal distribution of Church Lands, and for the abolition of Tithes and Vestry rates.

Mr. *Hume* could not let this opportunity pass without stating his opinion, that Ireland never would be, nor never ought to be at peace, until there was a more equal distribution of the property of the Church. That one man should be wallowing in wealth, by the enjoyment of Church property, whilst millions of his fellow-countrymen were starving, was a state of things which it was utterly impossible could be much longer endured. Ireland could not continue in the enjoyment of tranquillity if such a state of things were permitted to continue.

Mr. *Estcourt* felt it was impossible to remain silent and hear such insinuations as the hon. member for Middlesex thought it convenient to throw out against the Established Church. Any one who heard the hon. Member would suppose, that the members of the Established Church of Ireland did nothing at all, but lived in ease and indolence, whilst their fellow-countrymen were starving. The same imputation, however, might with equal justice be thrown on every man who enjoyed any other kind of property as well as Church property. He had never been in Ireland, and therefore had no opportunity of knowing much of the Clergy of the Established Church of Ireland from personal observation; but from all he had heard, he had reason to believe, that they were extremely able and efficient, and that many of them laboured very hard in the discharge of their duties. He also believed that their revenues were not too large; but, at all events, he implored the House not to allow itself to be worked upon by insinuations on this subject, insinuations which he was sorry to say, had not then fallen from the hon. member for Middlesex for the first time.

Mr. *Hume* said, the hon. member for the University had not done him justice when he said, that he (Mr. Hume) had insinuated. He did not insinuate, but affirmed broadly; and he believed 999 persons out of every 1,000 concurred with him in his views on this subject.

Mr. *Estcourt* had only to say, that he did not believe that to exist which the hon. member for Middlesex affirmed so broadly.

Mr. *O'Connell* said, he must always protest against having Church property set down as held by the same title as other property. It was trust property, and might be taken from one and transferred to another by Act of Parliament. If a clerical person, holding Church property as a clergyman, became a Jew or a Catholic, he forfeited the property, and if the principle was adopted, that Church property could not be alienated, he begged to ask what became of the title to the estates of four-fifths of the Members of that House? Why, the Duke of Bedford and many other noblemen would be stripped of their property? No one ever objected to paying the clergymen of the Established Church according to their employment, but the complaint was, that they were not paid in Ireland according to their employment. The Rev. Thomas Perceval Magee, whose name was before the House a few nights ago, signed twice to the same petition, had no less than eleven livings. The Rev. gentleman would require more lives than a cat to want all those livings, or to attend to them. There was also another case brought under the consideration of the House a few nights ago, in a petition from a parish in the county of Kildare. It appeared that the Rector of that parish, who was an absentee, had an income of 1,100*l.* a-year, whilst the Curate, who performed all the duty, and had a large family to support, received no more than 75*l.* Irish, or 69*l.* 7*s.* 4*d.* English. Could any one say that, in a country where such a state of things existed, Church property was properly distributed?

Mr. *Estcourt* supposed the hon. and learned Gentleman did not mean to say, that the case he had stated was the case in all the parishes in Ireland?

Mr. *O'Connell.*—I mean to say, it is the case in two-thirds of them.

Petition to be printed.

ALLEGED BREACH OF PRIVILEGE.] Colonel *Sibthorp* said, that he had given notice on Friday evening last, of his intention of submitting to the consideration of the House, what had appeared to him to be a gross violation and Breach of its Privileges. He did assure the House, that a sense of duty to the House, rather than any personal feeling or any personal considerations whatever, had actuated him in this proceeding. He would repeat, that a sense of duty which he felt that he owed towards the House, as a component though a humble part of it, had made him feel it incumbent upon him to call its attention to what he, as he had before said, considered to be of very serious importance. He scarcely need inform the House, that he was alluding to observations or statements, or, he would rather say, to various mis-statements, of what had fallen from himself as a Member of that House, on the evening of Tuesday, the 6th instant, upon the discussion of the Reform Bill in the Committee. In reading *The Times* newspaper on Wednesday morning, the 7th instant, he had found there—what certainly did then appear, and what now appeared to him to be—a gross, unjustifiable, unwarrantable, and, he was bound to say, a totally false statement of the words which had fallen from him upon that occasion. He trusted it would be evident to every Member of that House—indeed, upon a perusal of the paragraph, there could be but one opinion—that it was the wish, on the part of the newspaper, *The Times*, to vilify an individual Member of that House, as well as so to represent every proceeding as to degrade the House itself in every possible way in the eyes of the public at large. That paper, in the paragraph and report which he should now lay before the House, had introduced a statement, both with respect to what had fallen from himself, and with respect to the conduct of the House, which (and he could safely appeal to any hon. Gentleman who had heard him) was wholly of an unwarrantable nature, and composed in terms of the greatest falsehood. He had felt it a duty which he owed to himself, as well as to the House of which he was a Member, to contradict the statement the very next day, the 7th; and he had likewise felt it incumbent upon him to endeavour, as far as he possibly could, to vindicate the Members of the House from the gross aspersions which that newspaper had thrown upon them. What was his surprise when he had found on the next day (in the paper of the 8th instant), that the same paper had reiterated its offence; and he thought, that by such reiteration and such re-statements, it had committed a double insult on the House, and upon himself as a Member of it. He had found that the writer in *The Times*, on the 8th instant, had endeavoured to vindicate himself, in a paragraph in which he stated—"We have referred this observation not only to the Reporter whose account is complained of, but to others who were present: they deny the accuracy of the hon. Member's charge. On looking at the *Herald* and *Chronicle*, we find, that though the reports are shorter, they contain the same allusions to the laughter of the House, which the hon. Member asserts to be an invention of our Reporter." This, he would maintain, was equally false with the original statement, and it was a gross misrepresentation of the truth, for upon his perusal of *The Morning Herald* and *Morning Chronicle*, he found no such disrespectful statements as that which had appeared in *The Times* newspaper. He believed he had, as much as any man in that House, or out of the House, the greatest respect for the freedom of the Press. He would avow, that he had the highest respect for the free exercise of its important functions, and he would maintain that nothing could be so dangerous, and he should say that nothing could be so calculated to degrade every Member of that House, as such gross and repeated misrepresentations of the proceedings in Parliament as those of which he now complained. Having seen and known that misrepresentations had been made of various occurrences and circumstances relative to that House, it was his duty, as a Member, to proceed by contradicting the mis-statements in the present instance, and afterwards by following that line of conduct which the rights and privileges of that House gave him the power to do. Without trespassing any further upon the time of the House, he should beg leave to move, that the said newspapers *The Times* of the 7th and 8th instant be put in and read. A pause.

The *Speaker:* Who seconds the Motion?

Mr. *Trevor* said, that he would second the motion of his hon. and gallant friend; and in seconding it, he felt it necessary that he should make a few observations upon the subject to the House. In his opinion, the House ought to feel itself very greatly indebted to the hon. and gallant Member for bringing forward the conduct of the journal in question, which was the most audacious, vituperative, and calumniating paper that had ever issued from the press. Not only had this journal turned into ridicule, in the most coarse and unseemly manner, the Members of that House whose political opinions did not agree with its own, but it had altogether pursued a course of conduct which must render both Houses of Parliament little more than mere ciphers, and make them most completely, and in every respect, thoroughly contemptible in public opinion. He trusted that the House would never abandon its privileges, or refuse to vindicate its character, and he was confident, that in a case like the present, it would not pass over conduct so reprehensible. He trusted that the House would immediately take the case into its most serious consideration. He was not surprised that *The Times*, which had put forth the most base, and cowardly, and calumnious insinuations against a royal person, whose conduct had deserved and attracted the respect of almost every man in the country; he was not, he said, in the slightest degree surprised that a paper which had been guilty of this baseness, and cowardice, and calumny against a royal personage, should have indulged in such language as *The Times* had used with regard to that and the other House of Parliament. This very day that paper had, in a leading article, not only threatened the other House of Parliament, but had openly declared, that the military, if called upon to act, would not perform its duty. If such a course were tolerated, he, for one, must confess, he could not foresee whither it might lead, and where it might end. Who could tell what effects such a publication might produce upon the public mind throughout the country? He felt the most anxious hope, that the motion of his hon. and gallant friend would meet with due attention, and it would most assuredly meet with that attention if the House studied what was due to its own dignity, and what was necessary for the protection of its Members in the discharge of their duties. If the House were not lost to all sense of its dignity and its privileges, it would immediately bring to condign punishment the editor of as malicious, as calumnious, and as revolutionary a paper as ever disgraced the public press of this country.

The Times newspaper of the 7th and 8th instant were then put in, and read by the clerk, as follows:

"Colonel Sibthorp rose with violent agitation, and declared that he had opposed the Bill fairly and fearlessly. His side of the House was cheered by the supporters of Ministers, as if they had got through their labours. He could tell them that their labours were only commenced. (*A laugh.*) He did not understand being treated with contempt. (*Continued laughter.*) He would tell those who laughed at him, either in the House or out of the House, that he would support his opinions and vindicate himself to the last hour he had to breathe. (*Laughter, and cries of* "*hear hear.*") He regretted that the Bill had passed so soon. (*Bursts of laughter.*) The Bill had passed too speedily. (*Laughter.*) If his opponents were tired, he would not give up. (*Laughter.*) He would never give in. (*Laughter.*) He was never yet put down in the House, and never would be. (*Laughter,*) He was never put down out of the House, and he defied the hon. Member opposite who was laughing at him, to put him down. (*Laughter.*) (We could not exactly catch the particular Member to whom the hon. and gallant Colonel alluded, the laughter appeared to us to be general.) He defied the hon. Member to do it. The hon. Member had supported the Bill conscientiously, and why did he not suppose that he (Colonel Sibthorp) had opposed the Bill with equal conscience? (*Cries of* "*Question, question,*" *from all parts of the House. Colonel Sibthorp with great vehemence*)—he prayed to God that the Bill might not pass. (*Cries of* "*oh, oh,*" *and* "*question, question.*") If the Bill did pass, which he prayed to God might never be the case; all he had to say was, in the words of that great, that sublime statesman, now admired, and who, he fervently trusted, would have his memory for ever preserved in that House,—" Oh, save my country, may God have mercy on it! May God protect it from revolutions, and may he preserve in it all proper respect for the aristocracy—all proper respect for the"—(The hon. Member was so interrupted with laughter, that we were unable to catch the objects for which he invoked respect.) He felt confident that the Bill would not pass—such a Bill could never pass."

The clerk then read *The Times* of Thursday the 8th inst., as follows:

"Colonel Sibthorp said, he should take the present opportunity to complain of a contemptuous report of a speech of his in the Committee yesterday, which had appeared in one of the morning newspapers of that day. The report to which he alluded was interspersed with laughter, and other expressions of derision, which he flatly denied had been justified by the fact (*hear*). He considered he had the more reason to complain, as this report had been inserted in a journal of the highest respectability—he meant *The Times*—and it was, therefore, only an act of duty to the House and to himself, to contradict so gross and unwarrantable a statement.

"We have referred this observation not only to the Reporter whose account is complained of, but to others who were present; they deny the accuracy of the hon. Member's charge. On looking at the *Herald* and *Chronicle*, we find, that though the reports are shorter, they contain the same allusions to the laughter of the House, which the hon. Member asserts to be an invention of our Reporter."

Colonel *Sibthorp* again rose, and said, that feeling, as he did, the greatest regard for the House, and the strongest desire to support it in all its privileges, he now considered it to be his duty, as a Member, to move "that the printer and publisher of a certain newspaper called *The Times*, which was printed and published upon Wednesday the 7th, and Thursday the 8th instant, having been guilty of a gross breach of the privileges of the House, they do attend at the bar of the same on Wednesday the 14th instant."

Mr. Trevor seconded the Motion.

Mr. *Hume* thought, that the gallant Member had left the House rather at a loss how to proceed, for he had not distinctly stated in what respect he felt himself aggrieved. Did the hon. and gallant Member mean to complain that the words attributed to him in the report of his speech on Tuesday night were not the words that he had actually spoken, or did he mean to complain only of the reported expressions of laughter with which it was said that the gallant Member had been received by the House? He (Mr. Hume) did not understand which it was that the gallant Member complained of, or whether he meant to complain of both. Surely it was necessary that the gallant Member should explain himself. If he acknowledged that the statement or report of the speech in *The Times* of Wednesday was correct in words, then there was one part of the question before the House at once disposed of: if he acknowledged that the description of the laughter was correct, then the other part was disposed of. Would the hon. and gallant Member at once declare whether the report was or was not a correct publication of the speech he had uttered upon the occasion?

Colonel *Sibthorp* said, that as he was not in the habit of composing beforehand the speeches that fell from him in that House, he could not call to mind precisely every word or every monosyllable that he had uttered; but he did mean to say, that he considered the report to be an exaggeration of what had fallen from him; and as to the manner in which he was received by the House, he was proud to say, that whatever opposition he had offered to the Reform Bill, no such conduct had ever been exhibited by the House towards him as that described in the report. For these reasons he was prepared to maintain, that *The Times* newspaper had been guilty of a gross misrepresentation.

Mr. *Hume* was at all times most desirous that a full and faithful account should be published of whatever passed in that House, and he even regretted, that the House did not itself publish such authenticated reports. He now felt himself under the necessity of submitting to the gallant Member, whether he really thought it possible to call the editor of a paper forward for what he (Colonel Sibthorp) termed an exaggerated statement of laughter? Whether it was one Member who had laughed, or a dozen Members had laughed, or whether the whole House had laughed, still, to have an editor called to the bar on such an account, would turn the whole proceedings into ridicule. If any motives had been imputed to the gallant Member which he had not displayed, if any expressions had been attributed to him which he had not used, then he would have been fully justified and warranted in requiring, that the imputation should be removed, and the misrepresentation explained. Nothing, however, of this sort had taken place, and under the circumstances of the case, if the editor were called to the bar of the House to-morrow, he, for one, should not know what to do with him when he got there. One Reporter might take down, and another might omit to notice, the manifestations of feeling with which the House might hear any one of its Members on a particular occasion; but this could be no ground of imputation, nor of proceedings upon the part of the House. He had great doubts how the House could act, consistently with its own dignity, if it pursued the course recommended to it by the gallant Member.

Mr. *O'Connell* thought it would be lowering the dignity of the House, to call any man to the bar on such a complaint. He had no doubt, that the gallant Officer believed, that by making this Motion he was upholding the privileges of the House; but he was firmly persuaded, that to agree to this Motion would be to disparage greatly that dignity which it was the object of the gallant Officer to maintain. The House could never, consistently with its own dignity, and with credit in the eyes of the country, summon a man to appear at their bar, except upon some affair of importance and solemnity. No one surely would argue, that the question whether a Reporter had or had not put too many 'laughs' into his account of a Gentleman's speech was a matter either important or solemn. He was not present when the gallant Officer delivered the speech which was said to be misrepresented; if he had been, he should have stated what his impression of the report was; and, as he could not do that, he was quite willing to take the gallant Officer's own character of that report. Let all that the gallant Officer had said of the exaggeration of the report be true, and still that would not alter his opinion, that to entertain a motion like the present would be derogatory to the real dignity of the House, and tend to lower its character in the eyes of the public. If the publisher of *The Times* newspaper had committed a much greater offence than the gallant Officer complained of, he thought that the said publisher had already been sufficiently lectured by the hon. member for Durham (Mr. Trevor), and that there could be no necessity for calling him to the bar to receive the comparatively mild reprimand of Mr. Speaker. He could not sufficiently express his admiration of the conduct of that hon. Gentleman, who condemned a man first, and was prepared to try him afterwards. The hon. Member, one of the judges in this case had, without hearing the supposed culprit, laid to his charge the most serious offences, and declared that he was worthy of condign punishment. But perhaps the hon. Member thought that this, too, was consistent with the dignity of the House, as well as with its judicial character. With regard to the Motion itself, he must openly declare his opinion, that if it were agreed to, no one could for the future say, that there was anything like the liberty of the Press in this country. For the maintenance of its privileges, that House had clothed itself with a power which was altogether unlimitted and despotic. It might be—and he did not say that it was not—necessary that the House should be intrusted with such a power for its protection; but then the very character of that power ought to render the House extremely cautious how it was exercised, in any but cases of emergency. The gallant Officer might, if he pleased, proceed against the publisher of *The Times* by indictment or by criminal information. Now, in order to judge of the character of the present Motion, let the House consider for a moment what would be the result of the gallant Officer proceeding criminally against the publisher, in an ordinary Court of Justice. If the case were brought before a Court of Law, and the report complained of read, it would bid defiance to the gravity of the most serious bench of Judges in the world; and there was no counsel, however rigid the muscles of his countenance might be, whose stern features would not relax into a laugh while he attempted to make out, that anything criminal had been done, either by the reporter of the gallant Officer's speech, or by the person who had published it. A Jury would laugh the case out of Court at once. He readily admitted, that if a Gentleman's speech were misreported, it was quite right that the misapprehension which might naturally be supposed to result should be set right by explanation. This the gallant Officer had done. The gallant Officer had set himself right with the House and with the public; and he must, therefore, express a hope that the gallant Officer would not press his Motion. [*Colonel Sibthorp shook his head.*] Well, if the gallant Officer persisted in the Motion, he should certainly take care that it should not be disposed of without a division, and he should feel it his duty to divide the House upon it himself.

Lord *Althorp* admitted the right of the hon. and gallant Member, as of every Member of the House, to make complaints of matters of that kind, but it had always been the practice to consider the nature of the offence. In the particular case brought then under notice, he entirely subscribed to the principles laid down by the hon. and learned member for Kerry, and he hoped that the hon. and gallant Gentleman would see the inexpediency of pressing his Motion to a division. Under all the circumstances of the case, and in the present disposition of the House, he was sure that the hon. and gallant Gentleman would see, that that would be his better course. In saying this, he did not mean to question the hon. and gallant Gentleman's right to bring such a Motion forward; he only, under the circumstances of the case, doubted its expediency. He was present on the occasion alluded to, and was perfectly able and willing to confirm the statement of the hon. and gallant Gentleman, that the account of the hon. and gallant Member's speech was much exaggerated. He believed—he might say, was sure—that as much laughter did not follow as was represented. Indeed, he recollected distinctly but one decided instance of laughter—that which ensued on the hon. and gallant Gentleman's stating that the "Bill had passed too speedily." He repeated, he was sure that there was by no means the excessive laughter that the report of which the hon. and gallant Gentleman complained had represented. But still he was certain the hon. and gallant Gentleman would see that an exaggeration of this kind would not warrant the House in a manner entering into a contest with the Press, that, in fact, the offence was not of such moment as to call upon the House to visit it with its direct censure. The hon. and gallant Gentleman had not probably as much experience in these matters as he had—it had been his fortune to witness more than one newspaper publisher called to the Bar for a breach of privilege; and the more he witnessed of the effects of such motions, the more he was convinced of their inexpediency, and consequently, the more he was disposed to avoid their recurrence. He trusted, therefore, the hon. and gallant Gentleman would himself see the policy of not pressing his Motion to a division. In urging him not to take the sense of the House, he begged to say, that he was fully alive to the necessity of the House retaining in its own hands the power of visiting with its heaviest censures all attacks on its privileges, and that reports of its proceedings should be permitted only by sufferance; but still he need not point out the wisdom of exercising such an arbitrary power with due caution. The noble Lord repeated, that he did not conceive the present such an offence as warranted the House interfering to protect its privileges, though the report might have been an excessive exaggeration.

Mr. *George Sinclair* was in the House on the night to which the hon. and gallant Member's Motion referred, and could take it upon him to state, that *The Times* report was *verbatim et literatim* correct, so far as the sentiments of the hon. and gallant Gentleman was concerned. Indeed, he had never read a report more accurate, or one, as it appeared to him, of which it might be said there was "nothing extenuate nor aught set down in malice." There might have been, perhaps, an exaggeration as to the amount of laughter, though he must say, the manner in which the hon. and gallant Gentleman received the first symptoms of laughter served to increase it very much towards the end of the speech.

Colonel *Sibthorp* said, the hon. Gentleman who had just sat down had totally misrepresented his behaviour on the night in question. He felt himself compelled to press his Motion to a division, in consequence of the repetition of the offence, which appeared in the next day's number of *The Times*, in the form of an answer to his complaint. He would make precisely the same Motion on a recurrence of the offence.

The House then divided on Colonel Sibthorp's Motion. Ayes 7; Noes 73; Majority 66.

List of the Ayes.

Archdall, General
Conolly, Colonel
Fitzroy, Hon. Captain
Maxwell, Mr.
Perceval, Colonel
Pollington, Lord
Yorke, Joseph

TELLERS.

Sibthorp, Colonel
Trevor, Hon. A.

WINE DUTIES.] Lord *Althorp*, in moving that the Report on the Wine Duties Bill be received, said, that as he was desirous that the present measure should be adopted without opposition, it was not his intention then to introduce any clause respecting the future increase of the Duties on Cape Wines, which would remain at 2*s.* 9*d.*; but he begged that it might not be thought that he was abandoning his former proposition with respect to increasing those duties in the year 1834.

Mr. *Hume* said, the wine-growers at the Cape had suffered materially from the uncertainty in which they had been kept, but he hoped the announcement of the noble Lord would restore that confidence which they had lost in the House of Commons.

The Report received, and Amendments agreed to.

SUGAR REFINING BILL.] On the question that the Speaker leave the Chair for the House to go into Committee on this Bill,

Mr. *Keith Douglas* rose to bring forward the Motion of which he had given notice. He regretted that the noble Lord who had been so long the representative of Government in that House, had avoided every opportunity of making a general statement of the views of Government towards the West-India colonies, which were at present in a most depressed state; and he thought that the present proposition of the Government would only tend to increase their embarrassments. It was now for a long series of years that the colonies had had to contend against the greatest difficulties; and he thought, that unless the Government of this country was prepared to alleviate those difficulties, it should be prepared to absolve the colonies from their allegiance to this country, so as to allow them to place themselves, if they liked, in connexion with the United States; and, indeed, in his opinion, everything that had been lately taking place in the West-Indies appeared to be tending that way. What hopes could the West-India Colonies entertain from this country? The Government, which should at least have put prominently forward at the commencement of the present session of Parliament its intentions with respect to the West-India interests had contented itself with this measure, and seemed to forget the large claims which the colonies had on this country in consideration of the abolition of the slave-trade. While foreign colonies had the advantage of a continual series of fresh slaves imported into their markets, ours were obliged to get through the work with those who remained of former importations, so that the price of slaves was considerably higher, and the price of produce less than formerly. In 1814 sugar was 3*l.* per cwt.; in 1826 it fell to 32*s.*, and at present the price was about 22*s.* per cwt. If the cost of importation, which was about 8*s.* 6*d.* per cwt., were deducted, it would be seen that the sum received by the planter was about 13*s.* 6*d.*, or rather less than 1½*d.* per lb., yet out of that, he was compelled to maintain the cultivation of his estate, to clothe and support the negroes employed on it, and to keep the machinery in repair. It required, however, more than this amount for mere necessaries, without making any allowance for the capital invested, and for the lands, stock, and buildings. This had been fully proved in a statement which had met the approbation of the Board of Trade, by which it appeared, 15*s.* 10*d.*, as the expense of every cwt. of sugar produced, must be laid out to keep the estate in due and proper cultivation. This convincing statement however, had been taken no notice of by his Majesty's Government, further than to admit its correctness; but it gave no relief. In allowing the West-India colonies to sink into ruin, the Government was not only injuring those interests, but also inflicting considerable mischief on the manufactures of this country, which, for so long a time had found a market there; and yet, with all these considerations loudly demanding that our colonies should be supported, nothing of late years had been done towards the amelioration of their condition, with the exception of a small remission of the duties on sugar. It was true, that when Lord Goderich was Chancellor of the Exchequer there was a show of doing something; but after all, that was only a statement of an act of intention, and nothing had in reality been accomplished. And, indeed, at the present time, the colonies were even worse off than formerly, for up to the year 1828, the colonist had received a drawback of 3*s.* per cwt., which had enabled him better to enter into competition with the foreign planter; since that period, however, even that had been altered; and now the affairs of the colonies had arrived at so desperate a condition, that he did not hesitate to say, that one of the most imperative duties which were devolved on the present Government, was, to inquire how support might be afforded in that quarter, before it indeed became too late to do anything. But if the colonists were thus depressed in their sugar trade, neither were their interests better cared for in the rum trade, which, by the superior advantages allowed to Scotch and Irish whiskey, was unable to compete in the British market against those spirituous liquors. These, then, were some of the important grievances of which the colonies had to complain; and yet he found, that the only measure which the noble Lord had to propose this Session, which had reference to the West Indies, was this Sugar Refining Act. To such an Act he should at any time have objected, as being diametrically opposed to the West-India interests; but at the present time, more than any other, there were peculiar objections to it. Ever since the French Revolution of July, 1830, trade on the Continent had been in a very depressed condition, and England, among other countries, had felt that depression; the consequence was, that the manufactures of this country were lying on hand, and that the colonial articles of our produce were in the same state. If, then, we allowed foreign sugar to be brought here, and refined, and then sent back, the result would be (there being an overstock of the article on the Continent), that our colonists would be forced to reduce their price as low as the continental prices, to be able to compete with the supply from that quarter. Such a circumstance would confirm the ruin of the West-India Colonies; and he should therefore move, as an Amendment, that the House resolve itself into a Committee of the whole House, to take into consideration the statements, calculations, and explanations submitted to the Board of Trade, relating to the commercial, financial, and political state of the British West-India Colonies, and printed by the House of Commons on the 7th of February, 1831. And in the event of that Amendment being agreed to, he should take an opportunity in the Committee of bringing forward a set of Resolutions on the subject. It would be better for the Government to take an open course, and come to some settled determination as to the colonies; it would be better for the Government to say at once, we will provide for your interests, or at once to absolve the colonies from their allegiance, and allow them to seek protection from some other country. To that, he was afraid, it would come; and if the Government did not afford the colonies protection, they might be expected to throw off their allegiance. The hon. Member concluded by moving his proposed Amendment.

Mr. *Dixon* would not go into the question at length, particularly as his hon. friend had nearly exhausted the subject, but content himself with seconding the Motion.

Mr. *Poulett Thomson* hoped that the House would allow the Bill to go into a Committee, when he should be prepared to make a statement of what were the intentions of the Government, which could be conveniently made in the Committee, and for not making which the hon. Member seemed inclined to reproach his Majesty's Government. He was sorry the hon. Member had not chosen a better opportunity to make his statement; and that it was not a favourable one, the thin appearance of the House should have satisfied the hon. Member. He should have other opportunities of answering the hon. Gentleman, and should, therefore, decline following his statements. The hon. Member had, however, brought a charge against his Majesty's Government, as to the course it had pursued, and to that charge he would reply. The hon. Member complained that the Government had not taken those papers into consideration which the West-India interest had submitted to it; but the hon. Member forgot, that after those papers had been submitted to the Board of Trade by the West-Indians, there was a debate on the subject in that House. His noble friend (the Chancellor of the Exchequer) then offered to refer the whole matter to a Committee, but both the noble Lord, the member for Buckinghamshire, and the right hon. Baronet, the member for Tamworth, advised the West-Indians not to accept the offer, and declared that it was a matter which the Government ought to take up, and carry forward on its own responsibility. The Government had been pressed to afford relief, and it had done what it could; but it could not, by adopting the suggestions of the West-Indians, disregard all other interests. The Government had taken the subject into its consideration, and such relief as it could give, it had given, and further measures were still in contemplation. The charge was, that the Government had not attended to the suggestions of the West-Indians. The first of these was, that the duty on sugar should be reduced; but his noble friend had at once stated, that he could not concede to that proposition, on account of the state of the revenue. The next point was, to give them relief by enabling them to procure supplies at a cheaper rate. This had been done. The Intercourse Act had been passed, and relief had been afforded [*no, no*]. At least Government had done something to afford relief. The third suggestion was, to give a bounty on the exportation of refined sugar. He did not deny, that such a measure would give relief to the West-Indians, but it would injure the revenue, and increase the price to the consumer; and it was one which, he was sure, looking to the present state of public feeling, the Government could not successfully propose, nor the House receive with patience. It would not at present be borne that a tax should be levied on the people to pass directly into the pockets of the West-Indians. The hon. Gentleman said "No, no." How, then, would it operate? Would it not increase the price to the consumer, and would not the whole sum gained by the West-Indians come out of the pockets of the people? The Government was doing what it could to introduce molasses into the breweries, which was a means of giving relief. The whole charge against the Government fell to the ground. Why did the West-Indians not have the subject referred to a Committee above-stairs when it was offered? and why did they ask for a Committee of the whole House to examine a subject that required the closest and most minute investigation? It was impossible for a Committee of the whole House to examine documents, and have evidence before it to substantiate them; and quite impossible, therefore, that the Committee should be granted to the motion of the hon. Gentleman. The charge of the Government not sympathising with the West-Indians was not borne out by the facts. The Government had spared no labour to collect information, or to understand the subject, and it had spared no labour to ascertain what was the best course to adopt. That it had not succeeded to the hon. Gentleman's wishes was not surprising, for the West-Indians did not agree among themselves as to what they wished. The hon. Member opposed the Foreign Sugar Refining Bill, but he could bring several West-Indians, well acquainted with all the bearings of the question, who approved of it as a benefit to the colonies. Some Gentlemen thought the reduction of duty would be a great benefit, but he could find West-Indian planters who maintained that it would be no benefit at all. The whole subject of the colonies, particularly as they were referred to by the hon. Gentleman at the close of his speech, was so mixed up with very important political considerations, which it did not fall within his province to discuss, that he should think himself blameable if he entered further into the subject on such an important occasion, and in such a House. He admitted the great importance of the subject, but that was, in his opinion, a sufficient reason to regret that it had been discussed incidentally, when so few Members were present.

Colonel *Torrens* did not conceive, that the bounty on exporting refined sugar was the only means which could be devised to give relief to the West-India interest. That body had a right, he thought, to complain of the Administration; and not merely of the present Administration, but of former Administrations. It might complain, too, of those who advocated its interest, for they appeared not to understand it. Both the causes of the distress, and the measures that would give relief, were more obvious than people generally supposed. The great cause of the distress was, that our colonies grew more sugar than could be consumed in this country: it was exported to the Continent, and the price at which the export sold, determined the price of all the sugar that was consumed at home. The instant the quantity sent to this country was more than could be consumed, and we were obliged to export it, that instant the price of sugar on the Continent determined the prices in our markets. But the sugar sent to the Continent was raised at a much lower rate than the sugar of our West-Indian colonies; thus the sugar of these colonies, raised at a greater cost, was actually sold for no more than what paid the cost of production of the sugar raised at a much less expense. At present the Legislature compelled the West-Indians to raise their sugar at the increased cost; at least, it augmented the difficulties of raising sugar in our own colonies, and this evil ought to be immediately obviated. If that were done, a considerable relief would be afforded to the West-Indians. The diminution of duty would not afford relief to any extent. If it did not so increase the home consumption as to leave none to export, he doubted whether it would do any good. The cost of raising sugar in the West Indies would be lowered by allowing them to get all their supplies free. The Legislature ought to take off the absurd restrictions on the trade of the colonies, and allow them to buy their timber, their lumber, their food, as cheap as they could. In fact, the West Indies were sacrificed most unjustly to the policy of supporting Canada, and the West Indies were taxed to enrich Canada. There was a system of continual protection; and in order to compensate the West Indies for the taxes levied on it in favouring of Canada, the East Indies were taxed. We had got into a vicious system of protecting all interests, one against another, and the consequence was, the general distress of all. They were all in distress. Why did not the House legislate on sound and simple principles and avoid those interferences with the great machine that kept up continual friction? After reducing all the duties on their supplies of lumber and food, and after allowing them to import their food from where they pleased, why should they not be permitted to refine the sugar they grow? Formerly several colonies had flourished by that process, and why should the Legislature refuse that benefit to the West-Indians? There was nothing but a miserable system of restrictions and protections, which were only obstructions; and it was time to allow the people to get what they could at the cheapest rate, and not increase distress by laying restrictions on their industry. Another cause of the great cost of the West-Indian sugar was, the putting an end to the importation of slaves into them, while the foreign sugar-growers had a free importation of slaves. The Government ought to use its exertions to put an end to the foreign slave-trade, and that would give relief to our own planters. As to the Bill under consideration, he thought the refining of foreign sugar in this country would do no good. That was the produce of slave labour; and we ought to discourage the consumption of sugar grown by slave-labour. The Government ought to settle a colony at Fernando Po, and make it a large dépôt: and from there we ought to send out agents up all the African rivers, endeavour to introduce commerce into every part of that continent, and convince the native chiefs that it would be for their interest to put an end to the slave-trade. If that were done, a considerable relief would be afforded to the West Indies, while the measure for refining foreign sugar would only have a tendency to encourage the foreign slave-trade. The Government ought to revise the whole West-India system, and legislate for the colonies on sound and simple principles.

Mr. *George Robinson* thought his hon. friend, the member for Dumfriesshire, was justified in bringing on the discussion then, because no other time could be found for it, and it was difficult even then to attract attention to it. The hon. Member who spoke last, seemed to think it would be very easy to remedy all the evils of the colonies. He recommended the Government to adopt the system of free trade, and throw open our colonies to all the world. Before it did that, he would advise it to consider, as our colonies could be supplied cheaper from other countries than from our own, that it would transfer the whole commerce of those colonies to foreign countries, and transfer with it all the shipping now employed in the colonial trade. The hon. Member, he believed, was exceedingly mistaken. The measure of free trade had been tried, and had not answered expectations. It had failed to give relief to the West Indies. The markets there had been partially opened, and what was the consequence? Why, from having supplies from two sources, the market was uncertain, worse supplied than before, and prices were higher than before a direct trade was allowed to the United States. The West-Indians were not benefitted by this trade, because the United States would take nothing in return, and would be paid for their cargoes in specie. The hon. Member took, he thought, a superficial view, when he supposed, that by establishing a free trade in one country, he would necessarily produce a free trade in another. It would do no such thing, and his free trade scheme would be attended with none of the expected advantages, unless he could induce other nations to establish reciprocity treaties with us. If we were to equalize the duties in the West Indies on the commodities brought from our North American colonies, and from the United States, the consequence would be, that the whole benefit of the trade would belong to the United States, unless the Government first established a reciprocity treaty. By opening the trade to foreigners, we should only destroy our own colonial trade. He was sure, that the system recommended by the hon. member for Ashburton, would only deprive us of ships, colonies and commerce, or, at least, leave us the barren honour of possessing colonies, and the burthen of providing for their security, but would transfer all the substantial advantages of having colonies to other nations. The reduction of the duty on sugar—and it should be remembered that the present was a war duty, which the people were entitled to have repealed, and the Government was guilty of a breach of faith by not repealing it—the reduction of the duty would, by promoting consumption here, limit the surplus to be sent to the Continent, and raise the price, both there and here, and confer a great benefit on the West-Indians. If the Government withdrew its protection from the colonies, it would be better at once to allow them to withdraw their allegiance, and seek protection elsewhere.

Mr. *Hume* had expected to hear, but had not heard, some arguments from the hon. member for Worcester, to refute the statements of the hon. member for Ashburton. The hon. Member had contented himself with repeating his old assertions about the necessity and advantages of reciprocity treaties, and had not shown that the system recommended by the hon. Member opposite (Colonel Torrens) would be disadvantageous. He thought it was the duty of the Government to explain its views; and the hon. Member who spoke first had some reason to find fault with it for not having done so. The right hon. Gentleman had not understood that hon. Member, and the Government owed it to the West-Indians to give a further explanation. The Government ought also to grant a Committee of Inquiry; but the right hon. Gentleman wished to pass his Bill first, and inquire afterwards. There was a difference of opinion concerning the probable effect of this measure, and therefore it ought to be inquired into. He was not one of those, though he was friendly to the abolition of slavery, who was willing to ruin the West-Indians by a sudden emancipation. He wished to do justice, and the Government ought to do justice. The reduction of the duty on sugar was due to all parties; and he believed it would have a most beneficial effect. If the war duty were taken off, the consumption would be much increased. and the West-Indians benefitted as well as the consumers. After that, the Navigation Acts ought to be modified, and the West-Indians allowed to provide themselves with provisions and timber, from what quarters they pleased, and they, of course, would provide for themselves as cheaply as possible. Government ought also to demand the fulfilment of those treaties relative to the abolition of the foreign slave trade we had purchased at a high price. At present the foreigner purchased a slave for 40*l.* while our planters must pay 80*l.* In the foreign colonies fifty slaves out of the hundred were workers, while in our colonies there were not above thirty-five out of the hundred. It was impossible that our planters could compete against the foreign planter under such disadvantages. The hon. member for Worcester said, that the Intercourse Act had done no good; but he had received a letter from Trinidad that day, which gave a different account. The barrel of flour, which had cost twenty dollars, now cost sixteen dollars; and at the same time the barrel of flour bonded at Liverpool, cost only 1*l.* 17*s.*; and what prevented that from being sent, for the voyage was only, as it were, a few days, to where it was worth 3*l.* 4*s.*? The Government ought to allow a perfectly free importation of food into the colonies, and it ought to put an end to the foreign slave-trade. It ought to send a number of steam-boats off the coast of Africa, and follow the advice which men well acquainted with the matter had given, and which was to be found in papers on the Table. If Africa ever could be civilized, it was by means of commerce. They ought, therefore, to endeavour to extend it by means of the establishments in Fernando Po, and by forming new ones in the Bight of Benin, in which neighbourhood the slave-trade was carried on to the greatest extent. It was clear to demonstration, that, when commercial relations had been established with the chiefs along the coast, and they had become aware, that it was for their interest to provide those commodities which were the produce of their own soils, for trading, they would do so, and give up slave-dealing. He had seen a letter from a merchant settled on that coast, in which he stated the means which he had adopted to induce some of the African chiefs to abandon the slave-trade. He asked one of these men how much he got by the sale of each slave, and he was informed, between three and four dollars. The merchant then proved to the satisfaction of the chief, that he would get much more by employing these slaves to procure palm oil. The result was, that the African abandoned the slave-trade, and carried on a trade in the produce of his country. This plan ought to be generally pursued; for he thought that nothing was more certain than, that commerce had done more to civilize the world than all other means put together. It was very fine to talk of the glory and splendor of military achievements, but they all sunk into insignificance when compared with the blessings which commerce had bestowed upon the world. The means at present adopted to put down the trade were, in his opinion, decidedly inefficient. A few English ships were stationed along the coast, and they were not empowered to seize a ship unless it had slaves on board; but above all, the system must be defective as long as a premium was given to the British seamen for the slaves captured: as long as this custom continued, it was not to be expected that they would be disposed to employ great zeal in completely destroying the slave-trade. What had been done hitherto to put an end to this disgraceful traffic, had cost this country between 200,000*l.* and 300,000*l.* a-year, together with a great waste of life. He would undertake to say, that with half this annual expenditure, if proper steps were taken, the object would be attained. He had reason to believe, that the slave-trade was at this moment carried on to a greater extent than it ever was before. The waste of human life in the foreign slave colonies was almost beyond belief. In the Island of Cuba a slave could be purchased for 10*l.*, and the price for the best negroes never exceeded 40*l.* The proprietors found it cheaper to overwork their slaves for four or five years, and then leave them to perish —than to take care of those they might have. Thus all the worst practices which ever were carried on in slave colonies, were continued to a greater extent than ever, in the foreign colonies in the West Indies, in addition to the great sacrifice of life that resulted from the manner in which the slaves were necessarily conveyed from the coast of Africa to the places of their destination. In addition to the justice due to our own colonies, every feeling of humanity should prompt us to exert all our energies for the destruction of the slave-trade. He trusted, that this would be done, and that a more enlightened system of commercial policy would be pursued towards our colonies than had hitherto been witnessed. He hoped Government would abandon the absurd course of holding out threats to the colonies, which could be productive of no good, and only served to irritate the minds of the parties interested. With respect to the question of the Sugar Refining Act, he thought an opportunity should be afforded the West-Indian colonists to make out their case as they said they could do; and prove that the foreign sugar which was brought to this country to be refined, found its way into the British market. If nothing else were done, care ought to be taken to insure the exportation of the same quantity of refined sugar as had been imported in a raw state. He had always been the advocate of the complete removal of all restrictions on our commerce, and contended that a perfect competition should exist; but he could not concur in putting the sugars produced in those countries which at present carried on the slave-trade, on an equality with sugars brought from our own colonies. He did not know whether the documents that the hon. Member proposed to refer to the Committee were fit and proper documents to found an inquiry upon, but he was satisfied, that some investigation should be gone into on the subject. He should, therefore, give his cordial support to the Amendment.

Lord *Althorp* said, that the honourable Member seemed, from the nature of his observations, to have misunderstood the question before the House. That question was merely, that the House should resolve itself into a Committee on the Sugar Refining Act, and on that Motion the hon. member for Dumfries (Mr. Keith Douglas) had moved, as an Amendment, that the House resolve itself into a Committee of the whole House, to take into consideration the satements, calculations, and explanations, submitted to the Board of Trade, relating to the commercial, financial, and political state of the British West-India colonies. That Motion, if carried, would not, however, it should be recollected, effect the object the hon. member for Dumfries had in view, because it could not give any of that relief which the West-India interest demanded. He had himself proposed to the Gentlemen connected with the West Indies, to grant an inquiry; but the answer then was, that they could not accept it, because it would merely create delay. All was known, they said, that it was necessary to know. The distress was plainly overwhelming, and required prompt and immediate relief. The question had since been thoroughly investigated before the Board of Trade, and he was of opinion, from all he had heard, that the only substantial relief the West-Indians could look forward to, without a material injury to the interests of the mother country, would be found in a bounty on the exportation of sugar, and in the effectual putting down of the foreign Slave-trade. As long as the supply of sugar continued more than equal to the demand of this country, it was obvious that the price could not be affected by any thing but the increase of the quantity sent to the foreign market, and to that the West-Indians must look for relief. He was quite ready to admit, that the British West-Indies were entitled to the entire and complete monopoly of the home market, and the effect of the measure now before the House would be, he believed, to make that monopoly more secure; any plan for the admission of foreign sugar, although refined, should not leave that object unsecured. He must candidly admit, however, with respect to the facts brought forward on the subject, that they did not leave the question wholly without doubt. The Government was not altogether satisfied, and it was for that reason he proposed that the Act should be in force but one year, in order that they might be able to acquire further knowledge by the experiment. It was, in his opinion, quite clear that the West-Indians could not hope for relief from anything but a reduction of the quantity of sugar brought to market; and he did not think that the reduction of the duty would produce any material effect in that way, while it must be accompanied by a material diminution of revenue. With respect to the refining of sugar by the West-Indians themselves, he had no objection; but when an offer of that kind was made to them, they replied, the construction of machinery for that purpose, after so long a prohibition, would be so expensive, that they could not hope to receive any relief from a permission to refine. The noble Lord concluded by observing, that he agreed with the hon. member for Middlesex, in his expressions of abhorrence of the continuance of the Slave-trade by foreign Powers; but, he trusted, that, the negotiations which were now going on would terminate in the entire destruction of a traffic so disgraceful to humanity.

Mr. *Burge* contended, that the measure now proposed would be a boon to the foreign Slave-trader, and that Government were guilty of the gross inconsistency of professing to desire the termination of Slavery, and yet at the same time encouraging, by every means in their power, the productions of those colonies where the Slave-trade was carried on to the manifest injury of our own colonies, where it was wholly prohibited. He challenged the Government, or any Member of that House, to point out a single instance of the violation of the orders of the Legislature by the West-Indians since the passing of the Act which prohibited the continuance of the Slave-trade; and yet, at the present moment, and for many years past, the Slave-trade had been carried on to an extent greater than ever by France and all the countries which professed to have abandoned it. By them it was carried on in a more revolting manner than ever. England's endeavouring to suppress it had been answered by strong declarations indeed, but not by any efficacious acts. Some of the foreign Powers said, they would concur in putting an end to a scourge which had so long desolated Africa, degraded Europe, and afflicted humanity. The three great colonial Powers in Europe—France, Spain, and Portugal, whose concurrence was the most essential—withheld it. But the House should be aware of the means by which Great Britain proposed to the other powers of Europe—and in which they joined—to coerce France, Spain, and Portugal, into the abolition of the Slave-trade. The late Lord Londonderry, in a despatch to the Duke of Wellington, then at Paris, urged a declaration on the part of all those powers, concurring in the abolition of the Slave-trade, that they would prohibit the consumption, in their territories, of the colonial produce of such of the Powers who still continued to carry on the trade. The expediency of enforcing such a prohibition was again urged by Mr. Canning, and formed the subject of a renewed declaration at the Congress of Verona, on the part of Austria, Russia, and Prussia. This country had hitherto, except in passing the Sugar Refining Act in 1828, with perfect sincerity and fidelity, acted on the principles she professed. Her colonists had most religiously observed the enactments of her Statutes for the abolition of the trade. Not an instance had occurred on their part of a violation of them. A case occurred in Jamaica, strongly illustrative of the truth of his assertion. It was the only case that ever occurred in that island of an attempt to import slaves after the passing of the Abolition Acts. In 1817 a person who was proved, on his trial, to be an entire stranger to the island, with no acquaintance or connexion in it, arrived at a remote part of the coast, in a vessel with some Africans on board. He went ashore, and the very first person to whom he offered these Africans for sale immediately proceeded to a Magistrate, and lodged an information against the Captain, which was immediately transmitted to him (Mr. Burge) as Attorney General. In three weeks this slave-dealer was prosecuted, brought to trial, convicted, and on his way to the place to which he had been transported, the utmost term of years which the Statute authorized. The mate and others of the crew who were amenable to the law, were brought to trial and sentenced to such punishments as the Statute authorized, and the vessel and Africans were condemned to the Crown. Far different had been the conduct of the other Powers of Europe. Notwithstanding the professions and public declarations of Russia, the principle of her tariff went to encourage the importation into her dominions of sugar the growth of slave-trading colonies, and to exclude that of Britsh colonies. A similar complaint might be made against Austria and Prussia. Although, after long and repeated negotiations, France, Spain, and Portugal, as well as the government of Brazils, adopted measures for abolishing this trade; yet, in direct opposition to those measures, they still continued to carry it on to an extent, and under circumstances, the narration of which, in this age, one could scarcely credit, if papers on the Table of that House did not afford the most abundant proof of it. First, with respect to France. Between the 23rd of August, 1826, and the following 23rd of November, no less than eleven French vessels were fallen in with, having on board 2,577 slaves. Commodore Bullen, in his despatch of the 26th of that month, said, that three-fourths of the Slave-trade were carried on under the flag of France. In the private correspondence of the French merchants, dated in 1826, found on board the slave-trading vessels, proofs would be found of the security with which this trade might be carried on. These unhappy persons were, in the slang language adopted for the purpose of concealing the traffic called 'logs of ebony.' It further appeared, from the papers before the House, that from the 1st of June, 1827, to the 4th of December of that year, twelve slave-ships, and from the 1st of January to the 14th of May, 1828, eight slave-ships had been spoken with. Between the 4th of November, 1828, and the 5th of January, 1829, no fewer than 1,721 slaves were publicly landed in Guadaloupe. In 1828, 5,000 slaves were imported into Martinique. In 1829, the *Neirsée* or *Estafette*, a French ship with 289 slaves on board, was captured by his Majesty's ship *Eden.* The crew rose on the prize-master, and forcibly took possession, and carried her with the slaves into Guadaloupe. It was not until after strong remonstrances on the part of the governor of Dominica and Admiral Fleming to the governor of Guadaloupe, that they were given up. The Admiral, in his despatches, expressed a decided opinion that this trade was carried on with the perfect concurrence of the governments of those places. Thus, then, France, notwithstanding her municipal regulations, which, if they were honestly enforced, would put down this trade, had carried it on to an enormous extent. The consequence of this great increase of slave labour had been an immense increase in the quantity of her colonial produce. That country, too, took care of her colonists, and secured to colonial produce full protection ; she did not allow the produce of other colonies to come in competition with that of her own colonies. She not only, by high duties prohibited the importation of the sugar of British colonies, but allowed a protecting duty to the export of the sugars of her refineries; whilst our policy, with a chivalrous generosity which excited the ridicule and contempt of every foreign State, tended to sacrifice our own interests to those of foreigners. France had the wisdom and the justice to make her own interests and that of her colonists the first and exclusive object of her care. He wished England would follow her example, instead of gratuitously giving to other nations those advantages which ought to be reserved for ourselves. With respect to Spain, the papers on the Table exhibited a still more appalling picture of guilt on the part of her subjects, and of perfidy or indifference on the part of her government. Between the years 1811 and 1820, there were imported and sold at the Custom-house of Havannah, 116,000 slaves. In the subsequent five years, after the trade had been declared illegal by Spain, there were 69,000 slaves imported there. Thus it would be seen that the average importation, whilst the trade was legal, was 11,000 in each year ; and during the five years when the importation was illegal, the average annual importation was 13,000. In the Brazils, a corresponding increase in the importation of slaves would be found. There were imported into Rio Janeiro, between the 1st of July and the 31st of December, 1827, 15,481 slaves; from the 1st of January to the 31st of March, 1828, 15,483. Into Maranham, for the year ending the 31st of December, 1827, there were imported 1,917. Into Rio Janeiro, in 1828, between the 1st of July and the 1st of September, 7,582 ; and between the 1st of October and the 31st of December, 16,906. From the 1st of January to the 30th of June, 1829, there were imported into Rio Janeiro, 25,179, of whom 2,236 died, so that there had been in nine months imported into Rio Janeiro 30,964, not including those imported into the ports of Bahia and Maranham. Since 1815 there had been an average annual importation of 30,000 slaves into Brazil, which had actually imported no less than 390,000 Africans; and the total number imported into the colonies of France, Spain, and Portugal, was 680,000. The House would be mistaken if it supposed that even this frightful number of 680,000, imported into the Havannah and Brazils between 1815 and 1829, constituted the total number of unhappy beings torn from their family and country. What would the House think when they learned that, in addition to this number, there were, between 1824 and 1827, 10,814 slaves captured by British cruisers, and afterwards restored to freedom? During their voyage, the most dreadful mortality prevailed, induced entirely by the confined and narrow space allotted to these unhappy beings on shipboard, and by the other means resorted to for carrying on this trade with the least possible risk of capture. Without giving in detail, as he might do, the numbers dying during the voyage, he would state one fact which was alleged in a petition presented to the Chamber of Deputies in France—that captains of slave-ships annually threw overboard 3,000 negroes, more than one half of whom were sacrificed alive. The Brazilian and Cuban, as well as the French colonists, had thus been enabled to increase the cultivation and manufacture of sugar, to an extent which had necessarily added to the distress of the British colonist, by the increased quantity of produce he had to encounter in the foreign market. But this was only a part of the evil which was inflicted on our own colonists. The Brazilian and Cuban colonist could purchase, by means of this abominable traffic, a slave at 40*l.*; whilst the British colonist could not rear his slave from infancy to manhood at a less price than 85*l.* In the British colonies, the number of slaves, whose labour was made available in the great gang, was from 34 to 35 in 100—while in Cuba they were from 50 to 55 in 100; of those generally considered working people, but not in the great gang, or in respect of whom the returns of labour exceeded the cost of maintenance, the proportion in the British colonies might be taken at 45 in 100. In Cuba the number was 65 in 100. If to this were added the increased expense to the British planter occasioned by his humane treatment of his slaves—by the laws of amelioration which were in force; the expenses of medical attendance, of clothing, and allowances of moral and religious instruction—of registration, as well as various other charges, and of the higher salaries paid to white men—it would be found, that the foreign colonist could raise his produce at less than half what it cost the British colonist to bring his produce to market. In addition to this, it had been truly stated, that the foreign slave-trading colonist found a double advantage in meeting the competition of the British colonial surplus in this country rather than in the continental markets, because, besides the advantages already stated, he also obtained the benefit, be it more or less, of the British drawback, which was allowed for the express purpose of enabling the British colonist to meet his competitor in the foreign market upon fair terms. One or other of these two results must follow—that the foreigner thus obtained a large share of the drawback intended for the British colonist, for whose protection and encouragement it could alone justifiably be given; or else that the British Exchequer must lose that amount of drawback to the extent of the foreign produce introduced. But they had been told, that the British West India colonies had lately gained a very considerable advantage by the relaxation of the restrictions upon their intercourse with the United States. Unfortunately, however, the great impolicy of those restrictions was continued too long to allow the West-India interests to reap that advantage from the removal of them which they might have expected, had it taken place sooner. He did not say this with a view of casting any blame upon his Majesty's present Ministers, for it was to be attributed to those who preceded them. This mistaken policy had been too long continued The trade had passed away into other channels, and could now never be regained. The United States, excluded by our prohibitory system from our colonies, had begun to look within themselves for those productions which they had before received from us. They encouraged the cultivation of sugar and rum in the State of Louisiana, and had now the means of procuring both those articles in such quantities as to become almost altogether independent of us. The quantity which they did require they took from Cuba. Formerly North America had taken our rum and sugar—in exchange for which she had given us slaves and lumber; she now sold us the same articles, but, not wanting our produce in return, she demanded hard dollars. Many other instances of the same sort might be quoted where the injurious system had been discontinued too late to remedy the evil. So in Jamaica, the cultivation of cotton and indigo was done away with in consequence of the high duties. The great misfortune of the West-India colonies had been this;—that no change in the British policy had been made until circumstances had occurred, in which that change could be of no benefit. Of late years, our West-India colonies seemed to have been regarded only as they could be made to contribute to the coffers of the Exchequer, and to know and feel their relation to the parent State only in the burthens to which it subjected them, and the dangers to which it exposed their property, in consequence of the sanction which was given to plans, and schemes, and principles invading the very title under which that property was held. They had not the same consideration bestowed on them as any other branch of agriculture or commerce. They were the only class of his Majesty's subjects to whom peace had not brought any alleviation of the burthens imposed on them for the purposes of war, and which they had been assured should end with the termination of war; and yet, amidst all this protracted and accumulated distress, they had remained distinguished for their loyal and devoted attachment to this country. He could assure the House that he would not address to it the language of menace, but he could not disguise from himself, that the policy adopted towards our colonists would compel them to ask, that if they were no longer valued—if, in the folly and madness of modern political economy, they were considered as a burthen, in God's name let that connexion be dissolved. If it was not to be the means of their protection, let it not be rendered the means of their destruction; let them protect themselves, or obtain protection from those who know their value. This was not the first time he had addressed such language to his Majesty's Ministers. How different an estimate did the statesmen of other days form of these colonial possessions? They seemed to have been desirous of recording their sense of the importance which Great Britain ought to attach to her colonies; for there was scarcely a Statute, commencing with the act of trade, in which a preamble, eloquently and warmly boasting of the advantages of her connexion with them, would not be found. But if, wiser than our ancestors, we would renounce these advantages, or did no longer estimate them, or, if we were disposed to give to foreigners the benefits to which our colonists alone were entitled—if we no longer thought them of sufficient importance to receive exclusive protection at our hands, then common justice and common fairness required us to say to them—"Seek from some other Power that protection which it is no longer our interest or our inclination to afford you." His complaint was not against the present Ministers alone, but he complained of the whole policy, which, for years past, had been pursued towards our colonies. Let not the present Ministers persevere in it by the adoption of the proposed measure. It had been said in the course of this discussion, that the relief to the colonists to which they ought to confine themselves was that of a reduction of the high duties on sugar. They had urged their claim to it in vain, and yet it could not be denied that such a reduction, whilst it would have saved them from their deplorable condition, would not have caused such a diminution of revenue as could justify the Government in refusing it. The effect of a reduction of the duty on coffee had been seen. In 1807, when the duty on that article was 2*s.* 2*d.* per lb., the consumption was 1,064,000 lbs., and the amount received by the Exchequer was 119,500*l.*; in 1808, when the duty was reduced to 7*d.*, the consumption was 9,000,000 lbs., and the revenue obtained 270,796*l.*; in 1830 the consumption was nearly 22,000,000 lbs. weight, and the revenue received 579,363*l.* 10*s.* 7*d.* A similar increase in the consumption of sugar would take place if there were a similar reduction of the duty on that article. When the noble Lord, the Chancellor of the Exchequer, proposed, in the late Parliament, that such of the colonies as would adopt certain speculative schemes, in relation to the slave-population, should obtain a reduction of duty which should be withheld from such of the colonies as did not adopt those plans, he admitted the extent of the relief which a reduction would afford, and that such a reduction could also be granted consistently with a regard to the other interests of the empire. But his Majesty's Government ought not to annex a condition to the concession of that to which the colonists were absolutely entitled, and still less, a condition which would not merely render the concession itself perfectly fruitless, but invade the very title on which colonial property was held. It was pretended, that the importation of Brazilian and Cuban sugar, for the purpose of refining only, and to be again exported, did not encourage the foreign slave-trade. He answered this by asking this plain question, whether the Brazilian or Cuban would send his sugar to this country if it were not for his advantage? He found that advantage in British capital and British credit. The advantage thus afforded him, encouraged him to extend his cultivation by those means which would afford him the greatest profit, and subject him to the least expense, and those means were derived to him by the importation of Africans—by the continuance of the infamous slave traffic. He could not understand how such a measure as the present could be passed, without doing that which the Abolition Laws had directly prohibited. By those laws, British subjects were prohibited, under the heaviest penalties, from advancing their money to assist in the prosecution of the slave-trade. No British subject should do that which might encourage its continuance. By the Sugar Refining Act, the Legislature itself would afford that encouragement. In fact, since its first enactment in 1828, the importation of Brazilian and Cuban sugar into this country had much augmented. The Act, therefore, encouraged the slave-grown sugar, and encouraged the foreign slave-trade, and he trusted that the West-

Indians would, on this ground, be supported by all those who were averse from slavery. His object was, to have the subject of this Act alone referred to a Select Committee, and he, therefore, would recommend his hon. friend to withdraw his amendment, for the purpose of substituting one which he (Mr. Burge) would, in that case, move, namely, that the Foreign Sugar Refining Act be referred to the consideration of a Select Committee, for the purpose of inquiring how far it could be renewed with a due regard to the interests of our West-India colonies.

Mr. *Keith Douglas* said, he would adopt the suggestion of his hon. and learned friend. His only object in submitting the Amendment was, to bring the matter fully under consideration; if that object could be better attained, and he was ready to admit it might be, by the Amendment proposed by his hon. and learned friend, he was perfectly ready to withdraw his Amendment.

Amendment withdrawn.

Mr. *Burge* moved, as an Amendment on the original motion, "that a Select Committee be appointed to examine and report how far the Foreign Sugar Refining Act may be carried into effect, with a due regard to the interests of the West-India Colonies."

Mr. *Poulett Thomson* said, as the hon. Gentleman who had just sat down, had, by moving another Amendment, brought the subject of the Sugar Refining Bill fairly under the consideration of the House, he should avail himself of the optunity to explain the nature of the measure, which, out of deference to the House, he had declined doing in the early part of the evening, whilst the much wider and more general subject—the whole question of the commercial condition of the West Indies—had been involved in the Amendment first moved by the hon. member for Dumfries. He thought, indeed, that he had fully explained, that he had purposely declined entering into this particular measure when first he addressed the House, and therefore he had good right to complain of the extraordinary speech of the hon. member for Middlesex, who charged him with calling upon the House to consent to a plan which he was pleased to say would inflict serious injury on the West Indies, without having assigned any grounds for giving the sanction. That hon. Gentleman was, indeed, singularly infelicitous in his observations; for not only had he shewn that he knew nothing of the nature of the subject under discussion—not only had he chosen to pass censure on a measure of which he could know nothing until it was explained—but he had been actually ignorant of what the motion was before the House, and upon which the hon. Gentleman was prepared, as he said, to vote; for the hon. Gentleman said, that he wished for a Committee to examine the details of this intricate subject—to sift the bearings, and to examine the facts; an examination, proper or improper, which could only be conducted in a Committee up-stairs, such as had been called for by the hon. member for Eye (Mr. Burge); and yet he supported the motion of the hon. member for Dumfries, for a Committee of the whole House, which he ought to know would entirely put an end to any such inquiry. But he left it to the hon. member for Middlesex and his new friends to reconcile all these inconsistencies, and he should pass at once to the subject which was now really before the House. In the first place, he should wish, however, to explain the cause of the delay which had taken place in the introduction of this measure, because an argument had been founded upon it, which was most unjust to the parties interested; for it had been said, that, however this Act, for the renewal of which he should move, had been suffered to expire, the subject should be treated as a new one. He particularly addressed himself to the hon. member for Eye. He said, that no claim could be set up on the part of the refiners—that they had entered into engagements on the understanding that the Act would be renewed, because it was suffered to lapse. He would tell the House—for the hon. Member himself must know it, from the communications he had had with him—what was the case. The subject was fully considered very early in the year. What had been advanced by the West-Indian interest against the renewal of the Act, received equal consideration with the arguments which were advanced by the refiners; and the result of the whole was, that early in the year, before the end of the last Parliament, his Majesty's Government was prepared to introduce an Act for the renewal of this measure, and the parties interested were informed that such was its intention. The dissolution of Parliament, of course, prevented the introduction of that measure, but at the opening of this Parliament, the Bill was again prepared, and was ready to be introduced. It would have been introduced in the latter end of June, the Act expiring on the 5th of July; but on the 1st or 2nd of July, three or four days before the Act actually expired, representations were made by different gentlemen connected with the West-Indian interests, both in London and Liverpool—not again controverting the principle of the measure, not again bringing up the old arguments against the principle of the Act—but stating, that in the full practical operation of the law, there existed great frauds, and that not only the West-Indian interests, but those of the revenue, were seriously injured by the system. Under these circumstances, of course, it became the duty of his Majesty's Government, seriously to inquire into the existence of these alleged frauds, and in consequence, an active inquiry was immediately set on foot, both at Liverpool and the Custom-house in London. The West-Indians were again heard on several occasions. The statements of the West-India merchants, both in London and Liverpool, were fully examined: and the facts they brought forward were inquired into. The allegations of fraud in the Custom-house were minutely examined and reported on; and the result was, that Government still adhered to the measure which they proposed to introduce, finding that those assertions, as far as they could examine them, were not based in fact—he meant the assertions of fraud; and, of course, the present measure was the same as that originally introduced. This, then, was the cause of the delay which had taken place; and would it not be very hard now if, because the Government were induced to pause, in order to institute this inquiry, they who were inclined to oppose this Bill were to turn round and say, "the Act is very different to what it originally was—it is an entirely new measure—and one which you have no right to call upon the House to pass as a renewal of the former Act?" So much for the delay! He would then address himself very shortly to the nature of the proposal itself. He was compelled to own, that when he heard of the extraordinary ferment which this measure was said to have caused among the West-Indian interests—when he heard the various statements which had been set afloat—when he saw statements bandied about of a most extraordinary description (one of which was put into his hands just before he came there that night), in which they were told that this measure was to be the utter destruction of the colonies—and when Gentlemen were requested to come down that evening in order to prevent the utter ruin—(for that was the expression) of the West-Indian interests, he felt surprised, knowing as he did that this measure had been introduced successively, year after year, with so little remark—with so little observation—that in those records which remained of what passed in that House, he could not find, that more than a single, if, indeed, one single—observation, had been made upon the subject at any time. When he found, therefore, that this measure had been year after year introduced and passed, almost *sub silentio*—when he found that this had been done, not by one Government only, but by three successive Governments—he must own he was a little astonished at the sudden outcry which was now raised against this enactment. He lamented that so much exaggeration had gone abroad, because he was satisfied that exaggeration never could advance or assist any cause whatever. The history of the measure was shortly this: for many years there had been a complaint on the part of the refiners—of London especially—that at certain periods of the year their works were stopped, because there was a very inadequate supply of West-India sugar before the arrival of the Spring vessels in February and March. Before the West-India vessels came in, so small was the quantity of West-India sugar imported, that they, the refiners, were obliged to stop their works for a time, which naturally put them to great inconvenience and expense, because the price of sugar for a moment rose, and the quality became of a kind which did not suit them. This circumstance attracted the attention of Mr. Huskisson, as it had that of former Governments; and in 1827, he passed an Order of Council by which he admitted, for a certain time, foreign sugar. On a further consideration of the subject—not with a view generally to the advantage of particular individuals, but with a view of benefitting the refining trade—an Act was introduced, founded on the principles of the Order in Council of 1827. That Act, which was nearly the same as that he now proposed to introduce, was brought forward by Mr. Vesey Fitzgerald, who was then President of the Board of Trade. In 1829 it was again introduced, and passed without observation. In 1830 the Act was again introduced, and again a little altered, with the view, which had always been entertained, of increasing, rather than diminishing, the facilities of refining. It was then, also, carried after very little observation. He confessed he should have thought that an Act so introduced, by three different individuals under two different Governments, might have been again carried into effect—perhaps with opposition—perhaps with some discussion—but certainly without exciting all the attention or animadversion which it now appeared to have done. What was the principle of this Act? The hon. Gentleman who had just sat down had assumed that it was even deeply injurious to the West-Indians; he had, indeed, only followed the hon. member for Middlesex, who had gone much beyond him; for, knowing nothing of the proposal of his Majesty's Government—unacquainted entirely with any of the details of the measure—he had not only asserted that it would be injurious to the West-India interests—but he had actually stated by how many shillings a cwt. this measure, of which he was utterly ignorant, would injure the trade. The hon. Gentleman had also stated—he did not allude to the hon. member for Middlesex, but to the hon. Gentleman who spoke last—that this measure would tend materially to assist the foreign slave-trade. The principle of the measure was directly the reverse; the principle was simply this—to give to the British refiner the power of refining sugar of foreign production in this country, with a view to export; and he believed the hon. Gentleman himself admitted, that if all foreign sugar were exported and went abroad, it could not affect the price of, or come into competition with, the sugar of this country. Indeed, the hon. Gentleman admitted that our principle must depend upon details; with that opinion he entirely agreed. Upon the principle, therefore, it appeared to him that it would be useless to say one word. It was a principle upon which they always had acted, and upon which they always must act, beneficially to this country—the principle of making this country the workshop of the world, by receiving the produce of foreign countries, and then employing our greater skill, our greater industry, our greater capital, our greater ingenuity, in working up that raw material, and again selling it to different parts of the world. On that principle, then, he should have thought there could be no doubt, but least of all should he have expected to hear a doubt expressed on the subject—though certainly one should not be surprised at anything now—by his hon. friend, the member for Middlesex; but, as he had said before, the question depended on whether the details of the measure were such as effectually to prevent the price of West-India sugar in this country from being lowered by the circumstance of foreign sugar, when refined, being consumed; or, in other words, of the whole of that produce, or an equivalent to it, being exported: because it was clear, that if foreign sugars, refined under this Act, were to come in here for consumption, they would have the effect to a certain extent, and to a certain extent only, of affecting the price of our West-India sugar. This was a point to which he must beg to draw the attention of the House; the subject was an intricate one, but he trusted the House would allow him to state to it the conclusions on which the opinion of the Cabinet was founded. This subject had engaged Mr. Huskisson's attention for a long time; it had also engaged, for a long time, the attention of all the Governments under whose consideration uccessively it had come; and there was no doubt that there would be no difficulty whatever in arriving at that point at which they must aim, if it were possible to have sugar refined in a sealed warehouse, and then exported without its ever coming to what might then be called this country; but that plan had been hitherto found to be impossible to be carried into execution, and another plan had, therefore, been resorted to—which was simply this. A certain number of cwts. of foreign sugar had been allowed to come in, paying a duty equal to the duty on West-India sugar, supposing the quality of that sugar equal to the *Gazette* price of West-India sugar; but, if it exceeded that quality, it had then paid an additional duty, equal, and more than equal, to the produce of refined sugar. He would leave out of this question for the sake of argument, the ascending scale of duty; because it was admitted by every one, that in the ascending scale of duty, when foreign sugar was of a finer quality, and at a higher price than West-India sugar, the additional duty was so much out of proportion to the additional value of the sugar, that it was not paid; and it was only when it was rather below the *Gazette* price that it could find its way to this country. He would state to the House the calculation on which a drawback was granted of British West-India sugar—a drawback was granted equal to the whole duty on the quantity of refined sugar exported, and, in this way, no duty whatever was charged upon the treacle which came from that sugar, and which was consumed in this country; so far, therefore, the importer of British West-India sugar had an advantage in bringing his treacle into the market; if, therefore, the refiner were allowed to bring in his foreign sugar, without any allowance being made for the advantage the West-Indian enjoyed in his treacle, he would be getting an advantage by means of that treacle; because treacle always bearing a higher price in this market than upon the Continent, British sugar bore a price exactly in that proportion higher than foreign sugar. This, therefore, formed one of the conclusions on which foreign sugar was admitted, which were simply these:—For every cwt. of foreign sugar admitted, of a value equal to West-India sugar, the duty on West-India sugar was paid, and the drawback on West-India sugar was allowed; but, as it was calculated, that, as there was an increased value given to West-Indian sugar, by the treacle being admitted duty free, a duty of 2*s.* per cwt. would be just; and therefore foreign sugar was charged 2*s.* a cwt. more than West-India sugar of the same quality—or, in other words, the importer of foreign sugar, of a given quality, was enabled to be under-written by the Government at 2*s.* per cwt. less than the sum at which he valued his commodity, reserving, therefore to the West-India merchant a very fair advantage. In the measure which he proposed to introduce, he did not preserve that proportion in exactly the same state, because, in consequence of the advance in the price of treacle, the West India merchant was entitled to an advantage of nearly 3*s.* He would, therefore instead, of foreign sugar being under-written at 2*s.* less than its real value in the market, here propose that it should be under-written at 3*s.* less;—giving by that means, to the West-India proprietors, the advantage of an additional shilling per cwt. to which, he believed they were justly entitled. He had stated these details of the plan to the House; and he should proceed to shew, as he had already told the hon. Gentleman opposite, that it was impossible for foreign sugar introduced into this country to enjoy any greater advantage, through the process of refining here, than British sugar possessed, as must be apparent to all who understood the state of the case. The hon. Gentleman opposite, or any one acquainted with the subject, must know, that the price of sugar in this country must always be regulated by the price of sugar abroad—but above all, the price of foreign sugar consumed here, or of West-India refined sugar exported abroad, must be regulated by the price of foreign sugar which was refined abroad. Foreign sugar here and abroad, and West-Indian sugar here, of equal qualities, must always bear the same price; and it was evident that it would not, therefore, answer to refine foreign sugar in this country at a dearer price than that at which foreign sugar could be refined abroad. It followed, then, that if the Refining Act, which was supposed to give that advantage, were not passed, the only effect would be, that foreign sugar going abroad would be refined abroad, and would then come into competition with West-India sugar; and, consequently no advantage whatever would ensue to the West-Indian. Indeed, price was precisely the test to which he would allude. Supposing one cwt. of foreign sugar were worth, in this market, 24*s.*, taking from that 24*s.* the 3*s.* advantage which the West-Indians gained in their treacle, the price of that sugar abroad would be 21*s.* Supposing it were taken abroad, it would yield exactly the same produce there, in refining, as it would here. If it went into the foreign market to be refined, it would then come into competition with the West-India sugar at 24*s.*, which paid the same duty as it was proposed to impose upon this description of sugar. Upon this principle he was prepared to contend, that under the Act as it was introduced, not the slightest benefit could arise to the foreign grower of sugar, in consequence of its being refined in this country. If they were to shut their gates against it, it would only go to a foreign market to contend there, and come into competition with their own sugar, exactly as it did now;

and no advantage could possibly arise to the West-Indians. But, there was also another circumstance to be considered;—the foreign sugar, when introduced here, not acting in the slightest degree upon our prices, because, as he had shown, there could be no increase of price whatever, in consequence of the operation of this Act, it could not be the case, as the hon. Gentleman opposite had contended, that an additional market would be found for foreign slave-grown sugar. It was clear that the price of sugar must be regulated. like other things, by the cost of production; and, unless the demand in foreign markets could be increased, which this measure would have no tendency to effect, no inducement was held out by it, to grow one single pound more of sugar by means of slaves than at present. There was this circumstance also to be taken into consideration—there was a large capital invested in the sugar refineries of this country, and it was the bounden duty of the House, as it was its interest, to endeavour to assist that industry, where such assistance could be afforded without injury to the rival interests of any other manufacturers, and this was exactly what he would accomplish by this Act, which would not do the slightest injury to the West-Indians. He would not, however, content himself with the mere statements he had made, which he was well aware might be called only theory; but he would proceed to facts and he did so the more readily, in consequence of the most extraordinary statement he ever heard in his life, that was made by the hon. member for Eye, who said that the effect of the Sugar Refining Act, passed in 1828, had been greatly to increase the supply of sugar in all the foreign ports of Europe, and that it was owing to that circumstance principally, that such an increased consumption had taken place there. Great, indeed, must be the effects that spring from very little causes, if such were the case. He would ask the House, could it really believe that such an effect had been produced by the operation of that Act? Thinking, perhaps, some such statement as this might be made, he had furnished himself with an account of what the quantity of foreign sugar, refined in this country since the passing of this Act of 1828, had been; and, with the permission of the House, he would state the result of that account. In 1828, after the passing of that Act, the quantity of foreign sugar refined in this country amounted to about 4000 cwt. He was aware that he might be told that this was only for half a year. But he came to the year 1829, when the Act was in full operation—when it was even in operation to a greater extent—and he found, that the quantity of foreign sugar entered for refinement, in that year, amounted to 9072 cwt. The total exports of refined sugar in that year from Great Britain amounted to 808,000 cwt.: the total quantity consumed was 4,013,000 cwt., so that the quantity of foreign sugar refined in this country in the year amounted to about one thousandth part of the quantity of British refined sugar exported. In 1830: the total quantity entered for refining amounted to 42,000 cwt.; the consumption of sugar in this country amounted to 4,604,000 cwt., and the sugar refined and exported amounted to 1,032,000 cwt., making the quantity of foreign sugar entered for exportation in this country amount to about four per cent of the sugar exported, and not quite seven-eighths per cent of the sugar imported. Yet this, which in one year amounting to about one thousandth part, and in the other to about seven-eighths per cent, was to be assigned as the cause of the great increased consumption of foreign sugar in all the ports of Europe! But it would be said, perhaps, that it was clearly laid down that the great advantage of not refining foreign sugar here had been discovered; and that, if he took the quantity of foreign sugar entered for refining in this half year, 1831, he would find it was very large. He perfectly agreed that it was much larger than it had been: with the permission of the House he would state what it was in the first part of this year. The quantity of foreign sugar entered for refining in this country amounted to 90,000 cwt. From that amount however a considerable deduction must be made; because the refiners, finding that the Act was not, and could not be passed on the 5th of July, took in as much sugar as they were permitted by law to do, in order that they might work it all up before the Act passed. He had stated to the House, that the advantages enjoyed by the West-Indians upon treacle were very considerable; and this circumstance appeared to him to have been an inducement to bring in foreign sugar for refinement during the last six months. That, however, would be at once corrected by the

Act which he had the honour to introduce to the House. If treacle fell again in price, which was not impossible, as it increased in amount, it would not become the interest of the refiner to use foreign sugar, and he would be subject, probably, as he had been in 1828 and 1829, to the chance of not being enabled to make use of it at all. He might be permitted to say, that this was a consideration worthy of remark. He would beg to ask the House, why this Sugar Refiners' Act of 1828 was passed? Was it passed for the purpose of becoming a dead letter? It was a dead letter in 1828; it was a dead letter in 1829; it became useful in 1830 and 1831; and then of a sudden, all parties turned round and said "Good God! do you not see what a quantity of sugar is coming in, and yet you are actually re-enacting of this measure? Stop it by all means—it never could have been intended to be carried into operation." He must say he did not believe that the Legislature of this country ever passed an Act without intending that it should work, or that it ever intended to pass an Act of this description to be a mere delusion, as it were, to any particular interest, and never intended to become practically useful. He had, in fact, replied to that, in replying to the last argument of the hon. Gentleman opposite, in which he stated that the effect of passing this Act must be to increase the advantages held out to foreign growers; there was however, one part of his argument, or rather a fact which he adduced in support of his argument, which certainly deserved some reply. The hon. Member said, "Why should the foreign grower send his sugar to this country, incurring all the disadvantage of double freight, and all the increased expense, unless you gave him a better price, to counterbalance those inconveniences?" He was aware that the hon. Gentleman had been in the colonies, but he believed his pursuits there had not been commercial; if they had been, he (Mr. Poulett Thomson) certainly should not have been able to account for his adducing an argument which displayed so little knowledge of the trade. When he talked of double freight, he would begto ask him, did he not know that a large portion of the sugar, cotton, and other commodities which were to be shipped for the Continent, came here in the first instance? Did he not know, that, in consequence of the great facility for shipping in this country—in consequence of its having become, what we should be most happy that it was—almost the emporium of the world—various commodities came here for the express purpose of being reshipped for the Continent? He (Mr. Poulett Thomson) had some practical experience on this subject, and he would tell the hon. Gentleman what the expense of shipping was. In Saint Katherine's or the London Docks it was about 6*d.* per cwt.—scarcely one per cent upon the sugar itself—and he believed it could be done by some careful individuals for 3*d.* or 4*d.* per cwt; therefore the expense was nothing at all in comparison with the great advantages which were derived from the security of shipping the sugar in this country, and the additional means thereby afforded for its distribution to different parts of Europe. If, therefore, the hon. Gentleman thought that a great boon was necessary in order to induce the merchants or consumers to send their ships here, he really was not acquainted with the expense of which he spoke, for it was absolutely next to nothing. He would not, however, press those points upon the consideration of the House, because, as he stated before, the details of this measure were of such a nature, that it was not possible, taking into account the advantage given for treacle, to adduce any substantial argument which would go to shew that the price of foreign sugar was raised in the slightest degree, or that the least benefit whatever accrued to the foreigner from this proposition. The benefit was all our own, and the only difference was, that the Act benefitted English capital and English labour, instead of foreign labour and foreign capital. Nay, he could go even further in answer to the observations of the hon. Gentleman, and say, that if by the present measure, or any other of this description, it were possible to make this country the emporium of the refiners of sugar, more would be done to injure the employment of slaves in the slave-importing colonies than could be effected in any other way: this would be the course. It could be refined so much cheaper in this country, owing to the greater scale of capital, of quality, and, above all, of consumption, that it would become the interest of these countries to send their sugar here to be clayed, instead of having it clayed, as at present, there. The hon. Gentleman knew, that the expenses of this operation was so great, that in the British West Indies it was too expensive to be carried on. If by any means foreigners could be induced to send their sugar here to be clayed, that would go further than anything else to destroy the slave-trade in those countries; because the English would, by pursuing that course, perform the duties now imposed upon slaves. He did not, however, anticipate that this could be the case, because he believed, that the measure, even in the state in which it now was, was not very likely to afford any great facility for the introduction of refined sugar. He believed, that the ascending scale of price would effectually prevent any considerable portion from ever coming in, although, on certain occasions, when there was a scarcity of material (he did not believe that such would frequently be the case,) we were bound to extend all indulgence, and to give every facility which it was in our power to afford. At the same time, however, that they were introducing this measure, he was bound to say, that he did not consider it such a case, as regarded the revenue, as it had been described; because he believed that, owing to the improvements in refining, it might very probably happen, that a greater quantity of sugar would be produced from the cwt. than used to be produced when the proportions to which he had referred were calculated; and, in consequence of that, a greater drawback could be received by the refiner. The subject of the drawback was well worthy of attention; but the qualities of the sugar could only be ascertained by a course of experiment, which would be a very long one, and which would occupy three or four months. Considering, therefore, that the interests of the revenue were materially concerned in this respect, they had directed that measures should be taken for instituting an inquiry at once into the comparative merits of both kinds of sugar; and if it were found, as some supposed it would be, that the foreign sugar yielded more than the West-Indian, or that they both yielded more than they used to do, it would then be the duty of his Majesty's Government to submit these facts to the consideration of Parliament, and, if it should appear necessary, to found any measures upon them which it might think expedient; but, pending that inquiry, they had no right whatever to refuse to persevere in this measure, on the ground that the West-India interests would be affected. He had already proved these interests could not be affected. On the ground of revenue, as this subject had been considered, he contended that they had no right, without trying the experiment fairly, to subject the trade of this country, and the merchants engaged in this business, to such serious inconvenience. To a Committee of Inquiry on this subject, therefore, he most decidedly objected. What, he would ask, was there for them to inquire into—as they had all the facts before them, so far as they could be brought under the consideration of the House? He would tell the hon. member for Middlesex, that they must inquire into facts; and the fact of the produce of the sugar could only be ascertained by experiment; and they could not go into a Committee of Inquiry without delaying this measure, which they were bound to endeavour to pass at present, in justice to all parties concerned. The proportions would be inquired into: and if it should appear that they had altered to such an extent as to render some additional check necessary, either this law would not be renewed next year, or, if it were, he trusted that those parties who had expressed their apprehensions, would perceive that they were totally without foundation. For these reasons he certainly proposed to persevere in the measure, and he trusted that the House would support it.

Colonel *Torrens* did not think a case had been made out, to prove that this Bill would not do injury to the West-India interests. At the same time, however, he considered that the Bill ought, in fairness to the parties, to pass for another year.

Mr. *Patrick M. Stewart* objected to the measure, upon the ground that it did directly encourage the foreign slave-trade, which was at present carried on to an extent never before known. The planters, he was fully assured, felt, that the present Bill would be most injurious to their interests, while the refiners desired it. The Act had deviated from its original principle. It was expected that the very same sugar entered for refinement and exportation should be really exported, and not retained for home consumption, whilst an inferior quality was sent abroad, which was the case under the Act now proposed to be renewed. If the refiners, therefore, had some reason for claiming its renewal, the West-India planters had a still stronger right to protest against it. He would contend that the possible injury to the refiners afforded no good reason for continuing the operation of the Bill for another year, when it was evidently injurious to a more important interest than theirs. In the refining establishments there was not more than 300,000*l.* embarked, while in the West-India interests there was question concerning millions of money and millions of men. He thought that inquiry was necessary; and he was resolved to vote for the Amendment, and, though sorry to oppose the present Government, he would resist the Bill in every stage of its progress.

Mr. *Fowell Buxton* observed, that if it could be shewn to him that the foreign sugar, which, under the operation of this Bill, was introduced into the country, was here consumed, he would vote against the Bill; but he knew that was not the case. It really was not consumed here, but was wholly exported. He had found that it required one-third more labour to refine sugar abroad, and import it into this country in a refined state than in a raw state; therefore, in permitting foreign sugar to be refined in this country, they were substituting, to the amount of this additional one-third, British machinery at home for slave labour abroad; and consequently to this extent diminishing slave labour, and discouraging the slave-trade. Upon this ground he would support the Bill, at least for another year.

Mr. Alderman *Thompson* did not think that foreign sugar ought to be refined in this country, because we were thereby giving the slave colonies, who had already the benefit of cheaper labour, the additional advantage of British capital and British ingenuity, and of a market on the Continent generally, in which our sugars could not compete with them. He thought the subject well worthy of inquiry, and should therefore support the Amendment; believing, as he did, that the West-India interest, already so depressed, had suffered additional injury by the operation of the Bill.

Mr. *Cutlar Fergusson* stated, that he would vote for inquiry, and consequently support the Amendment. The continued operation of the Bill would, he contended, encourage slavery, and give foreign sugars a market in which our sugars could not compete with them, as it would not be possible for the British planter, who had not the advantage of cheap slave labour, to sell at so low a rate as the foreigner.

Mr. *Cresset Pelham* announced his determination to oppose the Bill.

Mr. *Sinclair* said, the colonial proprietors were in the last stage of distress, and discontent existed to such a degree, that a very slight shock would be sufficient to cause an explosion. He would not run the risk of causing this, and would therefore support the Amendment.

The House divided on the Amendment; Ayes 73; Noes 77, Majority 4.

List of the AYES.

Agnew, Sir A.
Arbuthnot, Gen.
Ashley, Hon. J.
Barham, J.
Bateson, Sir R.
Blair, W.
Blaney, Hon. Capt. C.
Brudenell, Lord
Bulwer, H. L.
Burge, W.
Cole, Lord
Conolly, Colonel
Davidson, D.
Dick, Q.
Dixon, J.
Douglas, Hon. C.
Fergusson, C.
Ferguson, Sir R.
Fitzroy, Hon. H.
Freshfield, J.
Gordon, Capt. J.
Gordon, R.
Grimston, Lord
Hayes, Sir E.
Herbert, Hon. E. H.
Hodgson, J.
Holdsworth, A.
Holmes, W.
Houldsworth, T.
Hughes, H.
Hume, J.
Ingestrie, Lord
James, W.
Johnston, A.
Kearsley, J. H.
Kenyon, Hon. L.
Kerrison, Sir E.
Knight, J. L.
Lefroy, Dr. T.
Lefroy, A.
Lowther, J.
Mackillop, J.
Mahon, Lord
Maitland, Hon. A.
Mangles, J.
Marryat, J.
Marjoribanks, S.
Miller, W. H.
Mount, W.
Murray, Sir G.
North, J. H.
O'Connell, D.
’Connell, M.
Paget, T.
Pelham, C.
Phipps, General
Pigott, G. J.
Pollington, Lord
Praed, W. M.
Pringle, A.
Pusey, P.
Rae, Sir W.
Rickford, W.
Robinson, G. R.
Shaw, F.
Sinclair, G.
Somerset, Lord G.
Stewart, P.
Thompson, Alderman
Villiers, Lord
Vyvyan, Sir R.
Wrangham, D. C.
Young, J.

TELLERS.

Clerk, Sir G.
Douglas, Hon. W. K.

Mr. *George Robinson* put it to the noble Lord whether, after such a division, he should feel himself justified in proceeding without inquiry.

Lord *Althorp* replied, that to submit the measure to inquiry in a Committee above-stairs, at that period of the Session, would be tantamount to abandoning it. He should, therefore, oppose such a proceeding.

The House resolved itself into a Committee of the whole House.

Mr. *Poulett Thomson* moved a Resolution, to continue the present Act one year longer.

Mr. *Hume* remarked, that in the course of the statement made by the right hon. Gentleman, he had admitted the subject was one on which much information was necessary, and yet he had given his vote against inquiry. The argument about delay went in his opinion for nothing, because it was the fault of Ministers themselves that inquiry had not been made during the last twelvemonth. He declared that every man who agreed to the Bill agreed to promote the Slave-trade. He had never heard anything which surprised him more than the declaration of the hon. member for Weymouth.

Mr. *Poulett Thomson* complained of the expressions used by the hon. member for Middlesex as discourteous, and he must accuse that hon. Member of ignorance, otherwise the hon. Member would have abstained from his remarks. It was impossible to make the inquiry proposed, because it was not until the 1st of July that any fraud had been discovered in the mode of taking foreign sugars out of bond, without which there could be no injury to the West-India interests.

Mr. *Burge* said, he was astonished to observe the anti-colonial spirit that appeared to pervade that House; and he was sorry to see that Ministers were so deeply infected with it; that although they had but a majority of four, they yet thought proper to refuse all inquiry. There were millions of property embarked in the cultivation of our sugar colonies, and all upon the understanding that full protection should be afforded to the speculators. That understanding, he now saw, was not to be acted on. Ministers were false to the promises they had made. They encouraged the foreigners in preference to our own colonists, and thus gave an advantage to those who procured their sugars through the means of the slave-trade cheaper than our colonists could, and thus they encouraged that slave-trade which, for so many years, it had been the aim of this country to destroy. He did not ask the Ministers to pledge themselves to pursue any particular line of conduct; all he asked was, that they should grant a Committee of Inquiry to ascertain what was the best course before they decidedly adopted their present plan. French politics were now all the fashion; he wished they would remember what had been the observation of the present Ambassador from the French to the Emperor Napoleon some years back; it was this—that the colonies were the wings of England, by means of which she had been enabled to soar to her present height among the nations of the earth; and that if those wings were clipped, she would lose both her power and splendor, and become inferior to many of the nations around her. Again and again he repeated his call for inquiry.

Lord *Althorp* observed, that the division which had just taken place was not in a full House, and the number seventy-three, to which the hon. Gentleman alluded, was certainly not a very large portion of that House. The hon. Member charged the Ministers with making false professions; but how did he make out the charge, when he could not deny, that they stated their belief that the effect of this measure would not be injurious to the West-Indian interest? Indeed, he rather expected that it would be found beneficial. The measure was, in fact only a renewal of the Bill which had been regularly passed since the year 1828. Did hon. Gentlemen who opposed this measure imagine, that if sugars were not brought here to be refined, they would not be carried to the Continent for the same purpose; and if they were carried there, the only difference would be, that this country would lose the benefit of the manufacture. He could not see how this measure could operate as an encouragement to the slave-trade; for, he repeated, the only difference it would make with respect to foreign sugars would be to bring them here to be manufactured, instead of compelling them to be carried elsewhere for that purpose. It was manifest, however, that the refusal of the measure would not only be injurious to some extent to the English sugar-refiners, but to a very high degree to those capitalists who had embarked their property in the speculation of bringing the Brazilian sugars here to be refined, and who had done so on the faith that the measure of preceding years would be renewed in this. There was the less reason to inflict this injury on these persons, as there had been no notice of opposition to the measure till within three or four days before the last bill was about to expire. A Committee of Inquiry was a captivating mode of putting a question of this sort; but if granted in the present instance, at this late period of the Session, it would amount to a defeat of the measure itself. He should, therefore, oppose it altogether.

Mr. *Burge* said, he had no doubt the noble Lord was sincere in his wishes not to give any encouragement to the foreign slave trade. He claimed, however, the same justice for himself, for he had always been a zealous supporter of the abolition of that trade.

Mr. *George Robinson* said, that though Government might be satisfied on the subject, the House might not, and he had therefore supported the motion for an inquiry.

Mr. *Cresset Pelham* hoped that, after the division which had taken place, the Government would consent to grant the Committee of Inquiry.

Mr. *Keith Douglas* asserted, that, without inquiry, the House were not in a situation to come to a decision on the subject. As to the injury that might be done to the importers of Brazilian sugars, he did not think that the want of caution in the Board of Trade in allowing these persons to enter into such speculations, was a reason why inquiry ought to be refused.

Mr. *Goulburn* said, that when he first introduced this Bill, he distinctly stated, that it was only an experimental measure, so that the Government were under no pledge to renew it; nor could any person accuse them of breaking faith if they refused to renew it.

Resolution agreed to, and the House resumed.

TRUCK SYSTEM.] Mr. Littleton moved that the House resolve itself into a Committee on the Money Payment of Wages' Bill.

Mr. *Cresset Pelham* objected to the measure, as it imposed restrictions by penalties upon trade, and would most certainly be evaded. If it could be carried into effect, it would only promote the interest of publicans. He was sorry, also, to observe, that, by means of mistake and delusion, it had created a strong sensation among the lower orders.

Mr. *Hume* regretted that the hon. member for Stafford had yielded to a senseless clamour, in bringing forward this measure, which he felt confident could be productive of no beneficial results. He also regretted that Ministers should have lent their aid to the measure, which was a reflection on the good sense of the working classes, inasmuch as it implied, that they were unable to look after their own interests. He considered it a monstrous innovation upon the sound principles which governed the labour of the operatives at present, and was also calculated to excite disunion and ill-feeling between the masters and the workmen. About 300 years ago such laws as this were passed, but they were not adapted to an enlightened period like the present. He objected also to the exceptions of the Bill. Why should not the prohibition extend to domestic servants, and to agricultural labourers, as well as to the various classes of manufacturing labourers included in the Bill? The hon. Member had excepted those classes, because he knew that if they were included, the country Gentlemen would attend, and soon drive the Bill out of the House. Those engaged in mines were also excepted, though he could see no reason for putting them on a footing different from other labourers. What was wrong in principle must be absurd in details; and the clauses of the measure afforded a striking illustration of that truth. Nevertheless, he should not attempt to propose any amendment in the Committee, in utter despair of reforming what wasso objectionable; but, if he stood alone, he would take the sense of the House on the principle of the Bill. He wished to see how many Members there were who understood the true principles of trade; how many were anxious to raise up that spirit of hostility between masters and workmen, which had been allayed by the change in the Combination Laws; and how many were determined to pass a law which declared that food and raiment should not be supplied to the hungry and naked. He approved of the Bill, which had just gone through a Committee, inasmuch as it repealed all the antiquated and mistaken Statutes upon this subject, but he disapproved of re-enacting them by this measure, which was founded upon ignorance, which could do nothing but mischief, and which originated only in selfishness.

Mr. *O'Connell* thought it an anomaly in the Bill that, although it extended to Ireland, yet it did not repeal all the Statutes already in force on the subject in that country, though those Statutes were carefully repealed so far as regarded England. In the present state of Ireland that might do great evil, for although some inconvenience might arise from the truck-system near Belfast, it was not to be compared to the injury which would be done in the South, by throwing many hands out of employment. He contended that the real effect of this law would be, to legalise the truck-system; a manufacturer who sets up a shop might pay his men in money at one counter, and compel them by threats of turning them out of employ, to spend it at the other counter. In this way, this Act, which was brought forward as the perfection of wisdom, in putting down the truck-system, ought really only to be considered as a scheme to comfort those who were inclined to carry it on in the regular way. It was as absurd to abolish the old laws and then to revive them, as it would be to revive all the exploded Statutes against witchcraft. He would oppose the Bill, unless a clause were introduced extending to Ireland the repeal of the previous laws relating to truck. He should certainly oppose the Bill, unless Ireland were excluded from its operation.

Mr. *Littleton* inquired if the hon. member for Middlesex meant to move any Amendment.

Mr. *Hume* moved, as an Amendment, that the House should resolve itself into Committee on the Bill this day six months.

Mr. *Paget* seconded the Motion, because he thought this Bill would work infinite mischief; it would act like the penalties on usury, which were said to fall on the weaker party. It would not prevent the truck-system being carried on, it would only render its operation more circuitous, and thereby create confusion.

Mr. *Strickland* was anxious that the Bill should be permitted to go into Committee, to satisfy the minds of the labouring classes, who imagined that they were oppressed by the continuance of this system. He agreed with the general principle that no interference should take place between the employers and employed, but he thought deviations from that rule ought to be permitted in favour of the weaker party. Such were the Acts of the Legislature to restrict the labour of children in the cotton factories; but he held, also, that any legislative regulation as to the amount of wages was absurd. In the manufacturing towns the master had given up paying in money, and substituted a system of barter, which was highly injurious to the workman's interests. So far as this Bill checked such a system he would support it. He thought, in a Committee they might make its provisions more reasonable and less severe. He did not justify the measure on principle, but, in the peculiar circumstances of the case, and considering the hardships suffered and felt by so many of the working classes, from the operation of this system, he thought some attempt to check it, exceedingly desirable.

Mr. *Littleton* reminded the House, that this Bill was founded on the statements contained in petitions from all the great manufacturing towns and counties, most numerously signed by the labouring classes, and not contradicted by any counter petitions or statements whatever. The measure was introduced, therefore, at the desire of the working classes, and was intended for their benefit. The hon. member for Leicester, whom he always listened to with great respect, had been pleased to declare his opposition to the measure—but no persons had given the Bill greater support than his constituents. Whilst the present system continued, the working man had not, and could not have, the full benefit of the repeal of the Combination Laws, and it was notorious, that the universal feeling of the working classes was in favour of some attempt to put down this odious system. He differed with those who thought that there was nothing in this Bill to prevent a master paying money with one hand, and receiving that money for goods with the other. The power given by this Bill to compel agents to give evidence, would render it extremely difficult to practise an artifice of this description. Besides, if this Bill passed, the workmen must be paid in money, which was a great advantage, the complaint now being, that from one end of the year to another the workman never had any money. As to the anomaly relative to Ireland, pointed out by the hon. and learned member for Kerry, it certainly was deserving of consideration. In the future stages of the Bill, however, there would be an opportunity either for repealing the existing Statutes, so far as they referred to Ireland, or of excluding that country from its operation. The provision including Ireland was introduced in the House of Lords, but he could not say that he was extremely anxious on that subject, though he thought it desirable that the laws of the two countries should be assimilated as nearly as possible.

Lord *Granville Somerset* thought that it was his duty to the master manufacturers and to the workmen themselves, to oppose the Bill. He would give it his support if he could think that the truck-system would be put down by it. But he believed that its effect, on the contrary, would be, to interfere oppressively with the well-intentioned, and to give increased facilities to the evil-intentioned employer. It would, besides, operate in a very partial manner. In the county he had the honour to represent, the iron foundries on one side of a road would come under its operations, while the tin melting on the opposite side would not be affected by it. It made such distinctions between certain descriptions of manufacturers and tradesmen, that it would be attended with most mischievous consequences.

Mr. *Ruthven* supported the Bill, and said, that the manufacturers in the part of the kingdom with which he was most acquainted, were favourable to it.

Colonel *Torrens* said, as the working classes desired the measure, although it was at variance with strict principles, he was disposed to endeavour to gratify them. He was afraid, however, the suppression of the truck-system would not confer the benefits upon them which they appeared to anticipate. The evil was too deep seated to be so easily eradicated. The profits of trade were so small that employers were compelled to reduce the wages of their workmen. Then came the question, how were the profits of trade to be increased? In old and full-peopled countries, profits had a constant tendency to decline, and this, which was caused by the increasing cost of obtaining food and raw materials, could only be counteracted by the full admission of foreign agricultural produce. The only remedy was cheap food and low taxes. To attempt to abolish the truck-system while the Corn-laws and high taxes continued, would do little to mitigate the evils. He really feared it might have the contrary effect. A master paying by truck made up for the low profits in his manufactures, by the difference between the wholesale and retail price of the commodities consumed by his workmen, and which, but for this aid, he would be compelled to abandon. Under such circumstances, the abolition of truck would diminish the demand for labour, and throw operatives out of work. Still if the working classes preferred low wages paid in money to higher paid in goods, he was content to gratify them, but he hoped the measure would only be considered one of a temporary nature.

Mr. *Leader* expressed his disapprobation of the Bill, and stated, that a considerable manufactory in Ireland had been totally ruined in consequence of such interference as the Bill contemplated to enforce. He thought it both unjust and dangerous for the Legislature to interfere with private contracts.

The House divided on the Amendment: Ayes 24; Noes 68—Majority 44.

List of the AYES.

Chapman, M. L.
Conolly, Colonel
Dixon, J.
Hay, Sir E.
Kearsley, J. H.
Leader, N. P.
Lefroy, Dr. T.
Martin, J.
Mullins, F.
Musgrave, Sir R.
North, J. H.
O'Connell, D.
O'Connell, M.
O'Conor, Don
Pelham, C.
Perceval, Colonel
Power, R.
Shaw, F.
Somerset, Lord G.
Strutt, E.
Thompson, W.
Villiers, Lord
Williams, W. A.
Wrangham, D. C.

TELLERS.

Hume, J.
Paget, T.

The House went into Committee.

On the question that the 3rd clause stand part of the Bill,

Lord *Granville Somerset* said, he thought the clause required in some degree to be qualified. It referred to contracts, but did not sufficiently explain their nature. Besides, he should be disposed to exclude written contracts from its operation. He would move that these words be inserted, "Provided always that nothing contained in this Act shall extend, or be construed to extend, to any contract which shall have been entered into, and duly signed, in the presence of one credible witness."

Mr. *Littleton* said, the effect of the noble Lord's Amendment would be, not only to entirely neutralize the effect of the Bill, but to repeal all the existing laws upon the same subject. Magistrates had over and over again set aside contracts of such a description.

Amendment negatived.

On the question that the penal clause stand part of the Bill,

Colonel *Torrens* objected to it; he thought the provisions already passed were sufficient to put an end to the system. First, contracts were to be made null, then there was to be no payment in goods, and after all came a penalty. It was impossible to make all contracts for money alone, and a man might be subject to a penalty if, with the consent of his labourer, they mutually agreed that part of the hire should be paid in money, part in goods.

Mr. *Littleton* said, it was useless for the gallant Officer to say he would consent to try the measure, and then object to all the machinery by which it was to be executed. Generally speaking, the penalty was reduced: it was now on a graduated scale, according to the frequency of the offence.

Lord *Granville Somerset* said, in his opinion it would be right to impose something like a maximum of the fine to be inflicted; he should, therefore, propose to add these words to the clause, "So that the fine shall not in any case exceed the sum of 100*l.*"

Mr. *Littleton* said, such a limitation would be nothing to a master who gained 8,000*l.* or 10,000*l.* by the profits of his works. He should not oppose the addition, but he thought the clause would be better without it.

Amendment agreed to.

On the 11th clause being put,

Mr. *Paget* said, the punishment of three months' imprisonment for what might be nothing more than an inadvertency was excessive. He should, therefore, propose, that fourteen days be substituted for the words three months.

Agreed to.

On the 18th clause being put,

Mr. *Strickland* objected to giving an informer 20*l.*, which was nothing more or less than an inducement for a servant to betray his master.

Mr. *Littleton* must resist any alteration in this clause, and for this simple reason, that a servant must know that all informations laid by him would immediately lead to his dismissal, and therefore, if he were to receive no reward for informing, the object of the Bill would be completely frustrated.

Mr. *Hume* observed, if it was not the interest of the person supposed to be aggrieved to give information, it showed he had suffered no injury, and was but little interested in the principle of the Bill. He dreaded informers in all shapes.

Mr. *Littleton* said, they must within certain restrictions encourage informers, or persons who had causes of complaint would not give evidence. He could not conceive that the refusal on the part of a person to give evidence, could be considered as a want of interest in the Bill.

Question agreed to. The remaining clauses also agreed to. The House resumed.

HOUSE OF LORDS,

Tuesday, September 13, 1831.

Minutes.] New Peers. The following newly created Peers took the Oaths, and their seats:—The Marquis of Westminster (Earl Grosvenor), introduced by the Marquis of Lansdown, and the Marquis of Cholmondeley; Lord Poltimore (Sir George Warwick Bampfylde, Baronet), introduced by Lords Ducie and Segrave; Lord Panmure (Hon. William Maule), introduced by Lords Belhaven and Dover; Lord Dinorben (William Lewis Hughes, Esq.), introduced by Lords Dundas and Ducie; Earl of Burlington (Lord George Cavendish), introduced by the Earl of Carlisle, and the Earl of Gosford; the Earl of Camperdown, (Viscount Duncan), introduced by the Earl of Albemarle, and the Earl of Gosford.

Bills. Read a second time; Game-laws Amendment; Hackney Coach Act Amendment, and Land Tax Double Assessment.

Petitions presented. By the Earl of Radnor, from the Inhabitants of Chippenham and Corsham, for the Introduction of Poor Laws into Ireland. By the Archbishop of Canterbury, and the Bishop of Bath and Wells, from the Clergy of the Deaneries of Elham and Lymhore, and of the Inhabitants of Sheen, against the Beer Bill. By the Marquis of Lansdown, and other Noble Lords, from the Minister and Inhabitants of Preston-cum-Sutton, and East Keal, Duckleburgh, Shepton Mallet, Winscombe, and nine other places, for the Abolition of Slavery. By the Marquis of Lansdown, from the Catholic Clergy and Laity of Newmarket (Cork), and twelve other places, to grant the Catholic Clergy a portion of the Funds destined for Education in Ireland. By the Earl of Shrewsbury, from the Governors and Trustees of thirty Catholic Orphan Schools in Dublin, and of two other places, for an alteration of the Grant for Education in Ireland; from the Inhabitants of Newtownbarry, and eleven other places in Ireland, praying that the Yeomanry be disbanded; from several Societies and places in Ireland; eight Petitions, for the Repeal of the Union, from the Inhabitants of Whitchurch, (Cork), for the Introduction of Poor Laws into Ireland; from a Society of Galway, for Equalizing the Elective Franchise of that place; from the Inhabitants of Baglass, and four other places for Reform in Parliament; from the Catholic Clergy and Inhabitants of Navan, to alter the Law of Marriages between Catholics and Protestants from the Catholic Inhabitants of Ratoath, for the Repeal of the Burial Act; and from the Catholic Inhabitants of Navan, to resume Church Lands in Ireland, and apply them for the general good.

Reform—Public's Opinion of the House of Lords.] The Earl of Radnor presented a Petition from the Chairman and Members on behalf of the Renfrewshire Political Union, in favour of Reform.

Lord *Kenyon* said, that the petition could only be received as the petition of the individuals whose names were signed to it, and not as expressing the sentiments of any other persons.

Lord *King* said, that the petition was certainly that of two individuals, but it expressed the opinions of very large bodies of persons in the country, and was therefore, in his opinion, entitled to the serious attention of their Lordships. He need not inform that House that very great anxiety prevailed generally, throughout all classes of persons, for the success of the measure to which the petition referred. The country was at present in a state of repose; but the House would be in great error if it thought that the quiescence of the people emanated from any indifference to the question of Reform. That quiet, he felt convinced, was only transitory, and might be endangered by a successful opposition to the wishes and hopes of the people. They were determined that the measure should pass; and if it did not, such an event might excite feelings which it would not be agreeable to anticipate. The people would then begin to consider the situation the House would be placed in by such an event, and might question its utility, and find a pretext in its conduct to ask why it should not be got rid of.

Lord *Wynford* rose to call the noble Lord to order. The line of observation which the noble Baron had adopted in commenting on the petition before their Lordships, was most irregular, It implied a threat, was contrary to the Standing Orders, and could not be tolerated.

Lord *King* thought, he was not out of order, and he must say that in his opinion their Lordships would do well to consider the situation in which they stood, and what the feelings of the people would be towards the House, if they rejected a Bill to which the country so anxiously looked. It was well to reflect before it was too late; and it was also well to recollect, that the House had no great character to lose.

Lord *Kenyon* rose to order. The noble Lord had given a character to the House, for which their Lordships had little reason to be indebted. The noble Lord should have weighed his words, and not have stated that the House had no character to lose. He hoped that their Lordships would not allow such an observation to pass without reprehension.

The Marquis of *Londonderry* moved that the words which the noble Lord had used should be taken down.

The Earl of *Radnor* spoke to the question of order. He apprehended the words which any noble Lord had used could not be taken down, unless strangers were first ordered to withdraw.

The *Lord Chancellor* said, there was no doubt whatever that any noble Lord had an unquestionable right to have words taken down which were used by any other noble Lord, which he considered disrespectful to the House. As, however, he was sure his noble friend meant nothing disrespectful to the House in the expressions which he had addressed to their Lordships, he hoped the noble Marquis would withdraw his motion.

The Marquis of *Londonderry* considered the words which had been used highly unbecoming; and that it was the duty of every noble Lord, who was anxious to preserve the dignity of the House, to interfere upon such an occasion. As, however, he was disposed to believe that no disrespect was intended, he would, with the permisssion of the House, withdraw his motion.

Lord *King* said, that in using the expressions which appeared to give offence, he did not mean to offer any disrespect to the House. The observations which he had addressed to their Lordships, far from being intended to give offence, were uttered with a view to give them advice, and when he said that the House had no great character to lose—

The Marquis of *Salisbury* interrupted the noble Lord to order, and moved that the noble Baron's words should be taken down

The *Lord Chancellor* said, that the object of the noble Lord, in repeating the expressions which he had before used, was for the purpose of explanation; to this the noble Marquis took exception, and moved that those words should be taken down, as if a disrespect was intended to the House, when they had been repeated for the purpose of explaining their tendency, and mitigating their effect. If he thought that any offence had been intended, or that the noble Lord had meant to show any disrespect to the House, he would be the last man to defend such conduct, nor would there be any one more ready to express his disapprobation in such a case. If the noble Lord had said that the House was in bad repute, and, moreover, that it was deserving of that bad reputation by its acts, no doubt such language would be clearly out of order, and offensive to their Lordships; but the noble Lord had not made any such statement. He said that there were persons in the country who did not think highly of that House, and who would take advantage of the rejection of the Bill to injure it in the opinions of the people at large, and to extend the impression which they themselves entertained. that it had no great character to lose. That was very different from saying, as in the case of a private individual, that here was a man without character or reputation. The argument stopping where it was, had no sense in it; the argument he repeated,had no sense; and if the noble Lord had not been interrupted, it was clear that what he was making out was, that if their Lordships rejected the Bill they would not satisfy the people, and that they would give grounds to those who hated them to vilify and calumniate them further. The noble Lord, when he was checked, was merely saying the House in that respect did not stand so high as it otherwise should, and it was evident that he had no idea of making an attack himself on the character of the House. The noble Baron did not defend those who entertained those opinions of their Lordships, nor did he in any way take part with them, but represented the estimation in which the House might be under particular circumstances.

The Marquis of *Salisbury* said, that he had been anxious to have the noble Lord's words taken down, for he recollected an instance in which the noble Lord on the Woolsack was said to have used objectionable expressions, which were not taken down at the time, and which could not afterwards be correctly ascertained, though they were the subject of debate, in consequence of that omission. It was to prevent a similar inconvenience, that in this instance he was desirous of having the noble Lord's words taken down should it be thought advisable to take any further notice of them hereafter. Words were often used in the heat of debate to which a colour might be given. By having them taken down, the House could be satisfied whether or not they had been satisfactorily explained. At a time when the most atrocious attempts were made to inflame the populace against their Lordships, he felt that he should have deserted his duty if he did not stand up in his place to protest against the words used by the noble Lord, and move that they should be taken down; and he was convinced that the notice which had been so promptly taken of these expressions would convince the public that the House, while it was alive to the common good, was not insensible to the preservation of its own dignity. He was, however, prepared to hear the noble Lord's explanation, and to interpret it in the way in which the noble Lord might be pleased to give it to the House.

Lord *King* said, that the motion to have his words taken down had come too late. Other matter having intervened, this could not, in point of form, be taken down. He wished to explain to the House the meaning which he attached to the expressions which he had used, but when he attempted to give that explanation he was interrupted, and but for that, he should have been able to convince their Lordships that no disrespect had been intended to them. He meant merely to express an opinion, that there were large bodies of men in the country who entertained unfavourable opinions of that House; his object was, to put their Lordships on their guard, and, if possible, to prevent their Lordships from giving those persons any further handle to impugn their motives, or to condemn their conduct. There were many questions in which the people felt deeply interested, and entertained doubts whether their Lordships would act in accordance with their wishes, and for their interest. There was, for instance, the Game Bill, and another question of still greater importance, and one to which the people looked with great anxiety—the question of Reform. He might also mention the Corn-laws. All these were matters worthy their attention, and to be decided on after mature consideration. He was going to say, that they should look closely to the votes they would give on these subjects, if they meant to avoid the precipice before them. He hoped they would take a wise and prudent course, which would conciliate the affections of the people, and conduce to the general good.

Lord *Wharncliffe* said, he hoped it was not the intention of the noble Lord to set the people and the House at daggers drawn. He had read the petition with great care. He did not believe the House was on the verge of a precipice. In this case charges were brought forward against the House, and certain things were taken for granted, and it was insinuated that the House would adopt certain measures. It was not for him to say what resolutions the

House would come to on any of those questions which had been referred to; but supposing that the Reform Bill should not pass through that House, he was quite sure that it would be rejected, not because the Peers should retain the power of nominating Members for certain boroughs, but because they saw that, by conceding that measure, they would endanger the Constitution, and because they were not prepared to give way to clamour, or inflict an injury on the country.

The Marquis of *Salisbury* said, that as the noble Lord had declared that he had no wish to give offence to the House, he would, with their Lordships' permission, withdraw his motion.

Motion withdrawn.

The petition read. It stated, that the petitioners had no wish to encroach on the proper privileges of their Lordships, they only wished to maintain the proper rights of the people.

Petition laid on the Table.

Portugal.] The Marquis of *Londonderry* wished to ask the noble Earl (Grey), when he intended to lay on the Table the papers relative to the affairs of Portugal, which he had the other night promised to produce as soon as he conveniently could? He also wished to ask him, whether he was prepared to lay on the Table the opinion of the King's Advocate, and the case on which it was founded, for it was his intention, if the noble Earl refused to do this, to make a motion on the subject. And, further, he was more particularly anxious to get an answer to these questions, as he understood that a ship or ships had lately been sent out to the Tagus, in order, probably, to take possession of whatever part of the Portuguese fleet might have been left by the French. It was highly desirable that the subject should be fully and early discussed.

Earl *Grey* had no objection to the subject's being fully and early discussed. But he could not take upon himself to say exactly when the papers would be laid on the Table, because, as the noble Marquis must know, that depended on circumstances. He had no intention, however, to withhold the papers a moment beyond the time at which it would be proper to produce them. As to the opinion of the King's Advocate, and the case on which it was founded, he had himself no objection to produce them, but he must take an opportunity to inquire what was usually done in such cases. Perhaps there might be an objection, from that opinion being a confidential communication between the Ministers and the Crown Lawyers; but he himself had no objection. This was all that he thought necessary to say. As to the conjectures and surmises of the noble Marquis, the noble Marquis was perfectly welcome to make such conjectures and surmises, and to form such opinions as he pleased.

The Marquis of *Londonderry* was anxious for an early discussion, because he was apprehensive that, after the Reform Bill came up, there would be no opportunity for a full and ample discussion of the affairs of Portugal. He hoped, therefore, that the noble Earl would bring forward the papers at an early period. If the noble Earl would not agree to do this, he would make a motion on the subject, and would give notice to-morrow when he intended to make that motion.

Wine Trade.] Viscount *Strangford* took that opportunity of adverting to a matter of considerable importance to the commerce, and more especially to the navigation, of this country. He wished to do so without delay, because it was connected with a bill which would shortly be sent up to their Lordships from the other House, and it would be too late for him, when that Bill should be actually before them, to make the suggestion which he was desirous of submitting to the noble Earl opposite. He alluded to the proposed alteration in the Wine-duties. It did seem to him, that there was a singular infelicity of choice as to the moment which had been selected for granting a great boon to France, at the expense of more ancient, and hitherto more profitable commercial connexions. It was scarcely three weeks since one of his Majesty's Ministers had declared, in another place, that the whole conduct of France towards us, in the execution of one of those treaties, which, by the boldest of all possible misnomers, were termed treaties of reciprocity, had been conceived in a spirit any thing but analogous to that which had been manifested by us; that, in point of fact, she had, up to this hour, evaded or infringed the strict impartial stipulations of the treaty, and that negotiations were now going on to induce her to interpret them according to their true intent and meaning. He alluded to the stipulations regarding our navigation—no great object, he could readily believe, of French sympathy or affection, but one which had always been thought worthy of the special protection of British statesmen, and which he was therefore glad to find, from what had passed elsewhere, had been taken under that of his Majesty's present Ministers. The noble Earl opposite must be aware, that a British vessel paid, in the ports of France, ten times as much in tonnage duties, harbour dues, quarantine fees, and other similar charges, as were paid by a French vessel in the ports of this empire. The noble Earl must also know, that a French vessel, on returning home, was exempt from all tonnage duties, except in the case (he believed only in the case) of her coming from a British port. He, therefore, thought, that when France thus misinterpreted, or thus evaded her treaty with us, and that negotiations on the subject were actually going on, it was a most extraordinary thing that we should step out of our way for the purpose of magnanimously loading her with new favours and new benefits, unless it was intended, that they were to be offered to her as the price of her doing us that justice which she was already bound by treaty to do, without any such superfluous liberality on our part. He, therefore, suggested to the noble Earl the expediency of taking no further steps in the alteration of the wine-duties, until the result of the negotiation should be known; and that no additional commercial favour should be granted to France, until it was ascertained whether she would fulfil her treaty with us or not. He thought, that France should be taught to be just before we began to be generous. No man living was more persuaded than he was of the value and importance of a most intimate and liberal commercial connection with France; but really, looking at the whole of her conduct on that subject, at all periods of her history, and whatever the form of her government, he did not know where to build a reasonable hope of such a connection being ever founded on the broad principle of equal and mutual advantage. Of one thing he was sure, that it was not to be obtained by a system of gratuitous concession and condescension. He had little hope of his suggestion being attended to, though it was offered in no unkind spirit; but he thought it his duty to make it, and to make it on this occasion, because, if he were to wait till the wine-duties actually came before their Lordships, and were he to make it then, he might perhaps be accused of a factious design to stop the supplies, and be thus the unconscious cause of some great and unexpected political calamity.

CANADA.] The Marquis of *Lansdown* presented a Petition from the House of Assembly of Lower Canada, complaining of various grievances, particularly in regard to the distribution of lands and the funds for education, in regard to the taxes imposed by the British Parliament, which were made perpetual, whereas, as the petitioners thought, they should be only temporary, and to the appointment of Judges and Government Officers. His noble friend, the Colonial Secretary, was engaged in paying that attention to the affairs of Canada which the importance of the subject required; and he hoped that, with regard to most of the grievances complained of, his Majesty's Ministers would be enabled to make such alterations and improvements as would be satisfactory to the petitioners; but as to the appointment of Judges and Public Officers, he doubted whether they could act without submitting a resolution to Parliament. It was a most important subject, and due attention would be paid to it.

PLURALITY OF BENEFICES.] On the Motion of the Archbishop of Canterbury, the House resolved itself into a Committee on the Plurality of Benefices Bill.

On the Clause for preventing the holding of two livings by any person, which livings were at a greater distance from each other than thirty miles,

Lord *Wynford* opposed the clause, as interfering with the rights of property, in cases where individuals had purchased advowsons, and moved that forty-five miles be inserted instead of thirty.

The Bishop of *London* said, that they could not abolish pluralities, but this clause would do something to lessen the evils. He should therefore support it.

The Earl of *Harrowby* thought, individuals who had purchased advowsons so far apart, might easily sell one, and buy another within the distance prescribed by the Bill. He was favourable to the clause as it stood.

The Archbishop of *Canterbury* supported the clause, as being calculated to reduce the number of pluralities.

The *Lord Chancellor* was in favour of the clause, and was quite sure, that it left the rights of property sacred and untouched.

Amendment negatived—original Motion agreed to.

On the Clause being proposed which gives to the Bishop the right of dispensation, by which an individual might be allowed to hold two livings of large income,

Lord *King* opposed the clause, which, in his mind, nullified any beneficial effects that might have been expected from the Bill. He had no objection to see small livings united for the benefit of the poorer incumbents, but the dispensing power, he found would enable a clergyman to hold two livings of 1,000*l.* a year each. To this he could not agree.

The Earl of *Harrowby* expressed a wish that the clause should be postponed.

The *Lord Chancellor* objected to the postponement of the clause.

Clause agreed to.

Remaining Clauses agreed to, and House resumed.

HOUSE OF COMMONS,

Tuesday, September 13, 1831.

Minutes.] New Writs issued. For the County of Dorset, in the room of the Right Hon. John Calcraft, deceased; and for the Borough of Flint, in the room of Sir E. P. Lloyd, now Lord Mostyn.

Bills brought in. Poor Relief (Ireland); Valuations of Land and Tenements, Ireland, Amendment; Subletting Act (Ireland) Amendment Appropriation.

Returns ordered. On the Motion of Mr. Hume, for a Copy of a Report recently made with respect to the Scotch Universities; for a Report of Mr. Richards, respecting Waste Lands in the Canadas and Emigration, and for an account of the total number of Persons who had emigrated from the various parts of the United Kingdom to North America, and to the British Colonies, since the passing of the Act 9 George 4th, cap. 21, distinguishing the number to each.

Petitions presented. By Mr. Hunt, from the Eastern Branch of the National Union, Pitt Street, Bethnal-green, against the cruel and vindictive Sentence upon Mr. Robert Taylor. By Mr. Alderman Waithman, from a Meeting in Manchester, for the speedy passing of the Reform Bill. By Lord Ingestrie, from the Guild of Saddlers in the City of Dublin, praying for compensation for the Coal Meters in that City.

Newtownbarry Affray.] Mr. *Maxwell* presented a Petition from the parish of Tomregan, in the county of Cavan, signed by 258 Protestants, and 319 Roman Catholics, praying that the grant to the Kildare-street Society might not be withdrawn. The hon. Member also moved for the depositions taken at the Coroner's inquest at Newtownbarry; and, in doing so, availed himself of the opportunity of stating, that if the documents which he had already offered to the House had failed in satisfying the mind of every person as to the statements respecting the atrocities alleged to have been committed on Mary Mulroney being utterly destitute of foundation, he begged leave to adduce one testimony more, which, he was certain, must remove every existing doubt from the mind of even the most prejudiced person. He held in his hand the affidavit of a most respectable gentleman, Mr. Boyce, the medical person who examined the body of the deceased. Mr. Boyce swears, "That he is a practitioner in surgery and medicine, and a licentiate in midwifery; that he attended Mary Mulroney on the 18th of June last; that she died from the effects of a gun-shot wound; that a bullet had passed through her body, entering at the right hip, and passing out at the navel; that there was no child protruding, nor was the said Mary Mulroney in in a state of pregnancy; that she had no other marks of violence than the ordinary appearance of a gun-shot wound; the orifice of said wound not being by any means larger than just sufficient for the exit of the bullet; and that it is untrue that said Mary Mulroney was ripped open, either by a bullet, or by any other means."

Motion agreed to.

Law of Libel.] Mr. *Hume* presented a Petition from Joseph Townshend Harman, who had been sentenced to be confined in the King's Bench Prison for six months, for writing and publishing a Libel, although he had proved that the contents of the Libel were true. The petitioner stated, that the power which persons, however, criminal, at present possessed of prosecuting persons, however virtuous, who should tell the truth respecting them, was subversive of the just liberty of the subject; and the petitioner prayed that the Law of Libel might be forthwith amended. The hon Member supported the prayer of the petition, and expressed a hope that the time was not far distant at which the law would be so altered as to allow the truth of the allegations contained in alleged libels to be proved in evidence on all prosecutions for libel. He was one of those who held that the truth never could be a libel.

The petition was ordered to be printed.

THRASHING MACHINES.] Lord *George Lennox* said, he had to present a Petition from a lady named Harfield, who resided at Westbourne, in Sussex. The petitioner stated, that in November last her thrashing-machine was broken, and that upon presenting to the Magistrates in sessions a claim for compensation against the hundred, she was informed by the said Magistrates, that the Act which regulated recoveries against the hundred did not include thrashing-machines. The petitioner therefore prayed from that hon. House such compensation as the justice of her case entitled her to.

Mr. *Hume* thought there must be some mistake in the petition, because he had always understood that compensation for the destruction of this kind of property could be recovered against the hundred. It was stated in Lord Melbourne's circular last year, that thrashing-machines were as much under the protection of the law as any other species of property; and if this were not the case, another hour ought not to be allowed to pass without an alteration in the law.

Mr. *Spring Rice* was also of opinion that there must be some mistake in the petition. He believed that thrashing-machines were as much under the protection of the law as any other property was, and until he heard it laid down by some competent legal authority, that compensation for such property could not be recovered from the hundred, he should certainly not acquiesce in the decision of the Magistrates in the petitioner's case. But perhaps the decision of the Magistrates was not correctly stated in the petition. It might be that there was some defect in the claim which had been presented by the petitioner.

Lord *George Lennox* was not competent to give an opinion upon the law of the case, but he was sure there was no mistake as to the facts stated by the petitioner. The Magistrates had told her that thrashing-machines were not included in Mr. Peel's Act.

Mr. *Hunt* said, that the best way was, to prohibit thrashing-machines altogether. When labour was low priced, as at present, the work could be better and cheaper done by hand; and if the landlords would but lower their rents one-third, which they ought to do, there would be no destruction of machinery, for labourers would be employed at adequate wages.

Mr. *Hume* said, the hon. Member contradicted himself; he said the work could be better and cheaper done by hand than by machines. If that was the case, the farmer would of course lay aside his machines for his own advantage, He considered the tone of the hon. Member's observations likely to create mischief.

Mr. *Hunt* said, he had never meant to say that the farmers were not to use such machines if they pleased, nor had he any desire to encourage persons to do mischief.

Lord *Ingestrie* observed that he had understood the hon. Member to recommend thrashing-machines to be put down, which would enable the farmers to employ more labourers. He regretted to understand that Wiltshire was again visited by incendiaries; a thrashing machine had been just completed by a farmer near Salisbury, and as it was about to be used, his whole premises were destroyed, to his utter ruin. He feared the country was in a very unsettled state.

Mr. *Hodges* said, the allusion of the hon. member for Preston to rents was ill-timed, and was not borne out by facts: where they had been most reduced, the labourer's comforts had not increased.

Mr. *George Robinson* said, if the House could not give the farmers increased means of employment, they could not employ more labourers. It was important, therefore, for them to consider if there was no other way of meeting the evil of an unemployed population for which they were unable to furnish employment. The obvious remedy was, to facilitate the labourer's obtaining the means of subsistence. They might avoid burthening the necessaries of life with excessive taxes, and they might, by reducing taxation and altering the Corn-laws, raise the rate of profit and increase employment. He could confirm the hon. member for Kent in his remark respecting reducing rents; he had himself a small property in that county, and had reduced the rents from fifteen to twenty per cent, which had relieved the farmers, but had not ameliorated the condition of the labourers. He had, he regretted to say, received information that fires were again beginning to make their appearance in that county; he therefore hoped, that vigorous measures would be immediately taken to stop such proceedings.

Mr. *Paget* said, as long as there was no other qualifications for a Magistrate than property to the amount of 100*l.* a year, it was likely many persons would get into the magistracy who were unfit for the situation. When so much depended upon their fitness for the office, it was incumbent upon the Legislature to inquire if some other qualifications were not necessary than a certain amount of property.

Sir *Richard Vyvyan* observed, there could be no doubt that machinery had amazingly multiplied the productive power of the country, but it was equally clear that the poorer classes of people had not yet, at all events, received much benefit from it. He was of opinion that the present generation would experience all the evils of machinery, and the next derive all the advantages of it. Thrashing-machines could in no case prevent the employment of the poor, but might assist in their obtaining it, by retaining land in cultivation which might otherwise go out of it. He begged to remark, in reply to the hon. member for Leicester's strictures upon the magistracy, that he had always considered a low qualification as an advantage, inasmuch as it gave a greater choice, and permitted persons to be chosen who were connected with the people, which produced a species of self government. A stranger, however learned in the law, could not inspire the people with such confidence as a man who constantly lived amongst them and entered into all the minor details of the administration of justice.

Mr. *Paget* thought, there were descriptions of Magistrates, whom the hon. Baronet would not attempt to praise, or approve of such persons being appointed merely because they had a qualification of 100*l.* a-year. Did the hon. Baronet ever hear of a trading Justice? He had known such, and they were a severe infliction on the poor. It could not be disputed that there were at present many incompetent and unfit persons in the magistracy.

Petition to be printed.

NEWFOUNDLAND.] Mr. *George Robinson* said, he was about to request, that the House would give him a little of its attention, while he should introduce to its notice a motion connected with a local subject, which he was reluctantly compelled to bring forward, in consequence of his not having received a satisfactory answer from the noble Lord (the Under Colonial Secretary) on the point to which it referred. The subject which he was about to introduce to the House was the case of Newfoundland—an island which contained upwards of 100,000 of our fellow-subjects, who had no local legislature to attend to their interests, and who were, in consequence, obliged to resort to that House to seek from Parliament a redress of the grievances of which they complained. Though he was aware of the impatience of the House to proceed to the very important matter which stood for discussion this evening, he felt compelled to occupy a short portion of its time with this subject, as, considering the present state of the public business, a postponement of his Motion now would be tantamount to an abandonment of it for the Session, and the present was the third Session in which he had endeavoured to bring it forward. He should not have troubled the House had the Ministers taken the matter into their own hands. This was one of the oldest possessions of his Majesty in that hemisphere, and if it had been properly attended to, it would have been one of the most useful and important of our colonies. It was treated, however, as a mere fishing establishment, conducted in such a way as to prevent residence. In the course of time, however, numbers did become residents in spite of the law. The Governors formerly, to prevent this, went so far as to pull down houses. He had a document which showed that a resident was under the necessity of asking permission to build a pig-stye. The colony was a fief of the Admiralty, and on that account the situation of it was kept a secret. At length a friend of his, Mr. Forbes, now Chief Justice of New South Wales, drew the attention of Government to the subject, and in 1824 two Acts of Parliament were passed to improve the colony, one relating to the encouragement of the fisheries, and the other to the administration of justice. They were passed only for five years. It was too much the practice to have recourse to procrastination in all colonial matters. The rule of the Government with respect to the colonies of England, always appeared to be to say, whenever anything was suggested, "Oh, we'll think of that—we'll think of that!" and the result was, that nothing whatever was done. In the year 1829, the right hon. Secretary for the Colonies under the late Government, had, on an emergency, brought down a bill to that House for the purpose of continuing the legislative enactments with respect to Newfoundland for three years and a half longer: he had at the time suggested that he would much rather that they should be only continued for one year longer, as that would compel the Government speedily to recur to the subject; but the answer that he had received was, that most likely the Government would take the question into consideration in less than a year; and yet, now they were nearly at the end of the year 1831, not only had nothing been done, but the noble Lord (Howick) had, on the 11th of May, told him, that he did not think, that it would be necessary to do anything this year. The inhabitants of Newfoundland, though they admitted that the general legislative enactments for the island were judicious, had suggested alterations with respect to particular parts, but not one of them had been complied with. Such, indeed, was the procrastination in these matters, that the new laws did not reach the colony for six weeks after the old laws had expired, so that for the period of six weeks the island had been left without any law at all. That House had been found utterly incapable of legislating for Newfoundland, and the inhabitants had memorialized the King, praying that he would at once grant them a constitutional government. He had had a personal interview with his Majesty on the subject, and his Majesty, from early recollections, felt and had expressed his strongest sympathy for the inhabitants of that island. Formerly, he was ready to admit, the inhabitants were not unanimous as to the necessity of a colonial legislature, but the case was now different, and they were now unanimous on that subject. Looking at the increase and wealth of the colony, he thought it had a right to call for a constituent government. The number of vessels that arrived there yearly, according to the petition addressed to his Majesty, was 700; the exports amounted to 600,000*l.*, and the imports to 640,000*l.*, independent of the coasting trade, which employed 400 vessels owned and registered in the island. Prince Edward's Island, which had a population of only 32,000, and Bermuda, with a population of 20,000, had a colonial legislature, while Newfoundland, with a population of 100,000, had none. He trusted, therefore, that the House would see the necessity of attending to the request of the inhabitants. Such, indeed, was the importance attached to this colony by Lord Chatham, that he thought it worth going to war for. He should not go so far, but it might be made highly beneficial to this country. The noble Lord opposite (Lord Howick) had admitted to him, that in his opinion, the people of Newfoundland ought to have some share in the administration of their own affairs, and yet the noble Lord had done nothing towards that object; and unless the noble Lord would say, that it was the intention of his Majesty's Ministers to give to the colony a legislative assembly and a local government of their own, he should certainly persevere in his Motion. The noble Lord had said, that one objection to giving the colony a government was, that it would throw all the power and influence into the town of St. John's, to the injury of the other towns of the island; but he denied the soundness of such an opinion. Agriculture was now discouraged in the island, and though the soil was fertile, and capable of producing wheat, oats, and the edible roots, the inhabitants were compelled to import even potatoes from America and Ireland. The people had not even the power to make roads or to levy assessments for any purpose, and the colony was virtually in the state in which it was a century ago. England had all the advantages of a trade with Newfoundland, without any of the disadvantages of restrictive duties which attended her trade with her other colonies. There had been an excess of revenue in the colony for the last twelve years; but the late Ministers had sent over there a civil establishment totally beyond any necessity of the case. What he complained of was, that the Ministers suffered their opinion to be guided by the merchants who traded to Newfoundland, and who, as they only traded there, had no sympathies in favour of the colonists. Another point which particularly required attention, was the state of the fisheries on that coast; there was a portion of the coast where the right of fishing was conceded to the French; but it was by no means clear that they had the exclusive right, and the colonists had applied to Government for information as to whether the inhabitants of Newfoundland had not a concurrent right with the French to fish there; the only answer, however, that they had been able to obtain was, that the Government did not know. Even at the time of Charles 1st, and up to the reign of William and Mary, the French paid for the right, and he believed such was the case up to the Treaty of Utrecht. But the people of Newfoundland being left in ignorance by the Government, as to whether the concurrent right existed or not, they came to a resolution of fitting out a ship to try the question. This ship sailed to that part of the coast where the French fishery was carried on, with directions to use every means short of violence to prosecute its fishing there. The French offered to concede the privilege there to that ship for the season, as a matter of favour; but this, of course, was refused; and the result was, that a French naval commander ordered the ship's anchor to be weighed, by which her fishing was stopped. He would, in conclusion, appeal to the noble Lord the Chancellor of the Exchequer, whether it was fit that such a colony, so powerful and prosperous as he had described, should be left in such a condition. The hon. Member then moved, "That an humble Address be presented to his Majesty, praying that he would be graciously pleased to grant to his ancient and faithful colony of Newfoundland a Constitutional Legislative Government, similar to those enjoyed by his Majesty's other North-American colonies, and as nearly as possible in accordance with the principles of the British Constitution; and also, that measures may be taken to ascertain the rights and privileges of his Majesty's subjects in that island under existing treaties with France, and to afford them protection in the exercise of the same."

Lord *Howick* felt himself embarrassed both by the time and manner in which the hon. Member had brought forward his motion. It was well known, that this day had been reserved, by the common consent of the House, to be set apart for the object of receiving the report upon the Reform Bill. He was, therefore, under great difficulty in being called upon so inopportunely to decide such a question, or to vindicate the policy which Ministers, in the short time they had been in office, had thought it their duty to pursue. The answer he had given to the hon. Member on a former occasion, had given great satisfaction to the principal port of the kingdom which had the greatest commercial connection with Newfoundland. He knew that the hon. Member himself had not been able, for a long time, to make up his mind upon the propriety of what he now advised, and the House might, therefore, very justly infer, that the question had been fraught with difficulties, and that the colonists had not, hitherto, been in a state to receive a legislative assembly. It was not unreasonable that he should ask the hon. Member to postpone his Motion for the present Session. The recent Acts under which Newfoundland had been governed, although they had not answered every exigency, had nevertheless greatly benefitted the colony. It was true that they required modifications, and he was perfectly ready to acknowledge, that the time had arrived in which the people of Newfoundland must be intrusted with a considerable share in the administration of their own affairs, and in the next Session of Parliament the subject would of necessity be brought before the House by the expiration of the existing laws. There was a difficulty in forming any system that would not tend to throw the whole power into the hands of the people of St. John's, to the prejudice of other parts of the colony. The inhabitants of Newfoundland were so scattered, that it was impossible for them to have any share in the Representation. In 1827, the total number of permanent resident inhabitants were 36,000, and of these 11,900 were resident at St. John's, while the remainder were distributed in a great number of villages and places, of which the population was individually very small. Between sixty and seventy of those small places, containing more than two-thirds of the inhabitants, were cut off from all communication with St. John's for six months of the year. He was aware that the population had since increased very considerably, and was rapidly increasing. That showed that the island was not yet going to decay, and that was of itself, he thought, a sufficient consideration to justify delay. The Governor of Newfoundland was shortly to come over to this country, and his local information would assist his Majesty's Ministers in the inquiries which they felt it their duty to pursue, before they came to a final adjustment of the question. For these reasons he thought the hon. Member ought not to prejudice the subject by pressing the Motion, and he should feel it his duty to move the previous question.

The Amendment was then put.

Sir *John Newport* said, he did not think a Motion of such importance ought to be discussed at that moment, when the House expected to go on with the Reform Bill. He was as anxious for the colony as the hon. Member, and for that reason he would advise him to withdraw his Motion, particularly after what had fallen from the noble Lord. He trusted, that Government, on considering the subject, would be cautious in taking the advice or opinion of those who might be more anxious to consult their own interests than the interests of the colony.

Mr. *Hume* thought, that the time was come when delay, if longer continued, would be productive of evil: 90,000 English subjects asked to be removed from under the arbitrary sway of one man, and to be allowed to conduct their own affairs. Was that unreasonable? They offered to do this without putting the country to the expense of 10,000*l.*, or 20,000*l.*, a-year, to which it was now liable. He thought that the hon. member for Worcester had done right in bringing the subject forward. It was of no use to say, that the Ministers were not prepared, for they had voted for the Motion of the hon. member for Worcester last year, when he moved for a Committee. For three consecutive years, too, thehon. Member had brought the subject forward, so that it was not a novelty. He was surprised, therefore, that the noble Lord should not be prepared to go into this subject. It was monstrous to continue to govern this great colony from Downing-street. That gave rise to malversation and misgovernment. He approved of putting the Motion to the House, in order to see what our present liberal Government would do. The local difficulties spoken of by the noble Lord, ought not to preclude the House from agreeing to this Motion. He was in no haste to adapt a government to Newfoundland, or to any other country, without studying the local circumstances; but the only question in the case was, should these people have a representative government of their own? He hoped that the same species of government would be given to Newfoundland as existed in Nova Scotia. He was surprised that the noble Lord should not be aware that the inhabitants of Poole had a local and separate interest opposed to the residents of Newfoundland. They had maintained an injurious influence for, and control over that colony for many years, and it was time that it was put an end to. Was it possible, that the inhabitants of St. John's, consisting of 12,000 people, should have the power of returning Representatives for 80,000? The argument used by the noble Lord would apply also to Canada, where the people were as much scattered as in Newfoundland, and there the best Representatives were taken from among the thinly-peopled districts. He hoped the hon. Member would press the Motion to a division, in order to see if the British House of Commons, which was about to give Representatives to the people and property of this country, would refuse it to the inhabitants of Newfoundland. Wherever the people had a representative government, as at Nevis, they managed their own affairs cheaply, while in all the colonies that were governed from Downing-street, the expenses were enormous. He should support the Motion.

Mr. *Cutlar Fergusson* recommended the hon. member for Worcester to withdraw his motion for the present. He was favourable to the principle of the motion, but he wanted further information before he could consent to agree to a vote. He hoped that the hon. Member would give notice of a day when the whole question might be discussed, or that he would move for a Select Committee, so that the House might then be able to pronounce an opinion upon it after due and proper inquiries. He confessed that he was not prepared to come to a decision, and, therefore, he wished the motion to be withdrawn.

Lord *Althorp* admitted, that he had voted for a Committee of Inquiry last year, but that was very different from the present motion of the hon. Member; and he was surprised that his hon. friend, the member for Middlesex, did not see the difference. Speaking for himself, and not as a member of the Government, then, he should say he did not feel that there was any necessity to have a Committee of Inquiry, because the question was under the consideration of the Government. It was the intention of the Government to make the measure which must be brought forward next Session for the regulation of the colony, as liberal as possible, and give to the people of Newfoundland as much power over their own affairs as was consistent with their situation. That was the object of the Government, though there were difficulties in the way of carrying it into execution. The hon. member for Kirkcudbright had suggested the propriety of appointing a Committee, and he for one saw no objection to the appointment, if such a motion were made. In that Committee, the difficulties felt by the Government might be stated and examined, and the House might be able to form an opinion on the subject. If the hon. Gentleman proposed to move for a Committee, he would suggest, that the hon. Member should not do it then, but give notice of the motion for to-morrow, or some other day; and he should not feel the slightest objection to having such a Committee appointed. The effect of the Committee could not be to pass any law this Session, but it might put the House in possession of much information, and the Government would assist its inquiries.

Mr. *Labouchere* regretted the course recommended by the noble Lord, as he considered that it was not right to delegate inquiries into such important questions to Committees of the House, instead of the Government itself investigating the subject. He hoped no Constitution would be given to Newfoundland but a Constitution which was to be most liberal. He was afraid that the noble Lord (Lord Howick) had lent a too willing ear to the Governor, and others, who were anxious to limit and curtail the power of the colonists, though it might be at the expense of the prosperity of the colony. He thought his noble friend attached too much weight to the fact of the inhabitants being somewhat scattered. He saw no reason why the people of Newfoundland might not collect as well at St. John's, as the people of Canada met at Quebec. He intreated the noble Lord not to rely too much on the local authorities of Newfoundland. The people there were the best judges of their own interest, and of what they wished to have done.

Lord *Howick* had expressed no opinion on the policy of giving a representative government to Newfoundland. He had only stated, that there were difficulties which the Government was not prepared to surmount. He agreed with the hon. Member, that statements of Judges and Governors were not to be implicitly relied on; but he could not agree in the opinion that their opinions were to be treated like waste paper.

Mr. *O'Connell* hoped he should be excused trespassing upon the time of the House a few minutes, as there were circumstances peculiarly connected with the subject which induced him to rise on the present occasion. He trusted that the great principles of liberty would be regarded in the government which was to be given to Newfoundland. Ireland had sent forth many of her children to that colony, both Catholics and Protestants; and he was happy to bear his testimony to the spirit of union which prevailed among them. He had recently learnt a fact which he begged to communicate to the House as highly creditable to both parties. It gratified him much to hear it. Some time back, a church belonging to a body of Protestants had fallen into decay, and their neighbours, the Catholics, erected another for them. This kind act was met by a similar one on the part of a body of Catholics who wanted a chapel, and one was built for them by a party of Protestants. He hoped that the hon. member for Worcester would withdraw his motion, and afterwards move for the appointment of a Select Committee.

Mr. *Cresset Pelham* said, the question was too important to be got rid of by a side-wind. He was at a loss to understand what extraordinary preparation was required to do an act of justice. The noble Lord's objection to confer a legislative government on the island, on account of the scattered state of the population, he thought had been very satisfactorily replied to. Around the island there was a rich mine of wealth, which they did not work for want of such an Assembly as was now asked for, and that mine was transferred to the French and the Americans. He did not wish to exclude other nations, but he wished the advantages of the fishery to be properly secured to Newfoundland.

Mr. *Burge* was surprised to hear the Government assert, that nine months were too short a time to decide whether a Representative Government should be given to Newfoundland, and yet that Government found four months too long to allow for consideration when a new Constitution was to be framed for England. But the Government was ready to listen to speculation, and act upon a complete dearth of information. In Jamaica the population was scattered as much as in Newfoundland, and yet it had never entered into the head of any man to say, that a Representative Government was not adapted to Jamaica. The noble Lord seemed to think he could resort to no better source of information concerning

Newfoundland than to the inhabitants of Poole. He complained that all the Governments had been perfectly ignorant of the circumstances of the colonies, and had taken no pains to inquire into them. One Government had ordered the Attorney-General of one island to prosecute an offence committed in another; and one Member had supposed that vessels might go as quickly from Jamaica to Barbadoes as they went from Barbadoes to Jamaica, forgetting that the trade winds always blew there in one direction. He hoped that the question would not be abandoned, and that a Committee would be appointed this Session.

Mr. *George Robinson* was willing to comply with the wish of the House, as far as he could, consistently with the duty he owed to the persons in whose behalf he had brought the motion forward. If the Government would give him a pledge to establish a Representative Government in Newfoundland; or, if not able to do that, would give him a pledge to grant a Committee next year, he would withdraw his motion. He would not move for a Committee this Session, because he believed it was drawing towards an end. The promise of a Minister, indeed, he was aware, was no security for a legislative measure, because he might not be in office. The noble Lord had not answered the part of his speech which referred to that most important part of the subject—the fishery, as it was now enjoyed by the French. The hon. Member concluded by proposing to withdraw his motion.

Lord *Althorp* could not pledge himself to any particular plan or measure with respect to Newfoundland; but would repeat, that Ministers would next Session feel it their duty to propose a measure extending to that colony as much freedom as was compatible with local circumstances. If that measure should fail in its object, then there would be no hesitation to the appointment of a Committee to inquire into the circumstances or causes of that failure.

Mr. *Robinson* had every confidence in the noble Lord's declaration, and therefore would withdraw his motion. He must observe, however, that the noble Under Colonial Secretary had passed over his remarks with respect to the claims of the French to concurrent right of fishery.

Lord *Howick* said, his silence proceeded from inadvertence. All the answer he could then give was, that the subject was then under discussion between the English and French Governments.

Motion withdrawn.

PARLIAMENTARY REFORM — BILL FOR ENGLAND—CONSIDERATION OF THE REPORT.] The Order of the Day for the House going into a further consideration of the Report on the Reform of Parliament (England) Bill, being read,

Lord *John Russell* said, that in moving this further stage of the Reform Bill, it would, probably, be the most convenient course if he stated briefly the nature of the few amendments or additions which the Government thought it requisite to propose, either in consequence of having received more satisfactory information, or in compliance with suggestions made by hon. Members in the course of the discussions which had already taken place. There were only two points on which they had found it necessary to make any material change beyond slight verbal alterations. The one related to the distribution of parishes and townships by the Commissioners; and the other, to the period for the commencement of registration. With respect to the distribution of the voters in parishes, the House were, probably, aware, that the Bill, as originally printed, did not give the Commissioners the power of dividing parishes or townships, but rendered it necessary, that the whole of a parish should be added in those cases where it was thought right to increase the number of the constituency. That intention having been subsequently abandoned, and the Commissioners being now empowered to take in any part of a parish which may seem fit to them, for giving effect to the intentions of the Legislature, it had been considered more convenient, instead of the words "township or parish," in the twenty-fifth clause, to insert the word "town." To give an instance of the way in which the alteration would operate in two or three cases, he might mention the town of Brighthelmstone, in which the Commissioners, through the means of the alteration, would be able to include all the inhabitants of the town without also uniting with them those of the adjoining parishes. With respect to the period for the commencement of the registration, the noble Lord (Althorp), on whom the conduct of the Bill devolved, not finding himself at liberty, notwithstanding the delay produced by the continuance of the debates, to make any alteration in the original determination of the Government, had invariably declared, that the registration of the present year was to commence on the 1st day of November. It was now, however, the opinion of the Government, that there would not be sufficient time between the passing of the Bill and the 1st of November in the present year for the Overseers to prepare the lists for the commencement of the registration, and they therefore proposed now, that the 1st day of February should be named instead of the 1st day of November, for the commencement of the registration. There was no other alteration to propose in that stage of the Bill that he at present recollected, with the exception of one or two with respect to dates. The Bill provided that all rates and taxes should be paid up to the 1st day of July, in order to ensure the payment of the necessary rates and the assessed taxes due previous to the commencement of the registration in the month of August. It was now thought, however, that it would answer as well, and be more convenient, if the 6th of April was named instead of the 1st of July, so that the whole of the taxes due on the quarter ending on the 5th of April would, in the same manner, be paid up before the commencement of the registration in August. There would be found in the Bill a proviso on the subject of taking the polls in booths, or places with respect to which a suggestion had been made by the hon. member for the county of Worcester. That hon. Member had suggested, that it would be convenient in some cases to allow the polls to be taken in houses. He (Lord John Russell) said, at the time, that he thought the proviso would admit of an interpretation to that extent; but, on consideration, they thought it now more safe to introduce a few words empowering the Sheriff, if he thought proper, to open booths for polling in houses which he might consider eligible for that purpose. He did not believe there was any other amendment or alteration to be proposed on bringing up the Report; but in compliance with a pledge given by the noble Lord (Althorp) in the course of the discussion, that the question of whether the large counties of Wales could claim any additional Representatives, should be taken into the consideration of the Government, he (Lord John Russell) had now to state, that the Government had considered that point with the utmost attention, and that they had found four of these counties distinguished from the others by an amount of population much beyond that of the others. It was intended, however, to give an additional Representative to only two of these counties; one of the four — Glamorganshire — having already obtained a second Member; and the other, Pembroke—being disentitled, for a reason which they considered satisfactory. The two counties to which he alluded were Carmarthenshire and Denbighshire. In the year 1821 the population of Carmarthenshire was upwards of 90,000, and that of Denbigh 76,000. The other county, that of Pembroke, was the next in point of population; it had 74,000; but that county had already two districts of boroughs, each returning a Member, and for that reason they did not think it necessary to add to the county Representation, as the balance was sufficiently preserved. The principle of the Bill, it had already been frequently observed, was to provide Representatives for large and populous towns; and in order to carry it into full effect, the Government had determined to confer the right of returning one Member each on two places, whose relative importance had not been sufficiently estimated at the time of the arrangement of the Schedules. One of these was the town of Ashton-under-Lyne, in the county of Lancaster, and the other Stroud and Minchin Hampton, in the county of Gloucester. He did not mean to propose these additions on bringing up the Report, but he gave notice now of his intention to do so on the third reading of the Bill.

Mr. *Goulburn* begged to know on what day the noble Lord intended to move the third reading of the Bill, as it was of great importance that Members should be informed at least some days previous, in order to be ready to express their opinions on the alterations now first suggested by the noble Paymaster of the Forces, which, in his opinion, were of great importance.

Lord *Althorp* could not look upon the alterations to be so important as the right hon. Gentleman opposite had designated them; but, however, whether they were so or not, he was ready to allow that it was necessary for the House to know on what day it was likely to move the third reading of the Bill; and, although he could not positively fix the period for that motion, owing to the uncertainty as to when the report would be disposed of, still he was in hopes that on Monday next the third reading would be moved.

Mr. *Croker* observed, that the noble Lord refused to acknowledge the importance of the alterations now first proposed to the House; but he must beg leave to differ with the noble Lord, and to say, that nothing could be more important than the power given to Commissioners for dividing the counties into districts. He hailed the alteration as a proof of the noble Lord's accession to the opinions which he had expressed in the Committee, and he was glad to perceive, that the suggestion which he had made, with respect to the adjacent parts of a town, not lying within the parish, being added to the town as part of the borough, was adopted, as the noble Lord had illustrated, by the case of Brighton; but which the noble Lord and his majority had rejected in the cases of Guildford, Sudbury, Dorchester, and to many other towns.

Lord *John Russell* said, that it was a very proper alteration as to Brighton; but there were many instances in which this alteration could not be applied.

Sir *Charles Wetherell* contended, that the alteration of the dates in the Bill was a very important one, and required time to ascertain its effects; it would be better to have the amendments introduced at once, that they might be fully understood before the third reading.

Lord *John Russell* said, the reason of his not proposing the introduction of the amendments at present was, to prevent it being said he took the House by surprise.

An *Hon. Member* said, the town and parish of Brighton were, by Act of Parliament, co-extensive. The proprietors of houses in the suburbs which were situated in other parishes, were anxious to retain their county franchises, and did not wish to be included in the new borough.

Mr. *Goulburn* wished the noble Lord would insert in the Bill at once all the amendments and alterations which he intended to make. It had been altered over and over again at every stage, and he must say that he should like to see it in a complete shape once before he gave a final opinion upon it.

Mr. *Croker* suggested, that the Bill should be re-committed, *pro formâ*, in order to have the necessary alterations made in it. It might then be reprinted in time for the third reading of the Bill.

Lord *Althorp* thought, that such a course might be desirable, if anything more than verbal alterations were going to be made in the Bill. At present he saw no necessity for it.

Sir *Charles Wetherell* was of opinion, that the creation of four additional representative districts was something more than a verbal alteration of the Bill. Two new boroughs had sprung up since the Bill left the Committee; two counties were to receive an additional Member, and he had no guarantee that other four Members might not be added in the interval between the present stage and the third reading of the Bill.

Mr. *C. W. Wynn* was also of opinion, the amendments proposed should now be introduced into the Bill, and that the Bill ought to be printed as it was intended to remain. He begged to be permitted, while he was on his legs, to ask the noble Lords opposite, at what time, under the provisions of the Act, as proposed to be amended, it would be necessary that the registration should be finished?

Lord *Althorp* stated, that the registration, commencing on the 1st day of February, would not be complete till the last day of April.

Mr. *Wilks* thought it would be much better if no notice had been taken of the assessed taxes, but that the payment of poor-rates alone should constitute the necessary qualification for a vote. He requested to be informed whether, if a person was six months in arrear in the payment of his poor-rates, he would still be entitled to enjoy the franchise.

Lord *Althorp* replied, that to be six months in arrear would not disfranchise a person. The alteration had been made in compliance with suggestions from the right hon. member for Montgomeryshire. He saw no force whatever in the remarks relating to the distinction made by the hon. Member between poor-rates and assessed taxes.

Sir *George Murray* asked the noble Lord opposite, whether he intended to apply the same rule to the Scotch county Representation which he had applied to the Welsh. He particularly wished for an immediate answer to this question, because, on account of the distance of Scotland from the metropolis, it was necessary to giev the inhabitants of Scotch counties ample time to make such representations as they might think expedient on this subject, not only to his Majesty's Government, but also to that House.

Lord *Althorp* replied, that the cases of Scotland and Wales were very different. Scotland had been united with England by a legislative Act of the two countries; at which time the number of Members was fixed, but Wales had, for several centuries before, been connected with this country, and had not received any addition of Members for that period. It was not intended to make any alteration in this part of the Scotch Reform Bill. If the Scotch counties had any representations to make upon this subject, they might make them now.

Mr. *Cutlar Fergusson* contended, that by this last alteration, a greater share of Representation was given to Wales than was given to Scotland. As the noble Lord had thought fit to allude to the Act of Union between England and Scotland, he would beg leave to remind the noble Lord, that by that Act there were to be thirty Scotch county Members. This Bill reduced the number to twenty-eight. It must be also recollected, some of the Scotch counties contained three times the population of those of Wales. He would take that opportunity of calling the noble Lord's attention to the power of the returning officer to object to any person's vote, who could only apply to the House for a remedy. He alluded to the 42nd clause, and he hoped the noble Lord would consent to such an alteration as, in his opinion, the case called for. As the clause now stood, even if a Committee of that House decided that the complainant had a right to vote, yet there was no provision made, that his name should be inserted in the register, and thus he might be deprived of the right to vote at the next election.

Lord *Althorp* expressed his readiness to accede to this alteration, as proposed by his hon. friend, which he considered an improvement. He was anxious to adopt any suggestions which he considered improvements, from whomsoever they proceeded.

Mr. *Hunt* suggested, that the Bill ought to contain a clause rendering it necessary that a notice should be affixed to the church-door of every parish, informing the voters of the district and booth in which they were to give their votes.

Lord *Althorp* was of opinion, that the Bill, in its present shape, sufficiently marked the place and district in which each voter was to give his suffrage.

Mr. *Baring* begged the noble Lord would be pleased to inform him, whether the Commissioners of divisions were to proceed to the execution of their labours under the sole guidance of the Act, or whether they were to be directed by any instructions from the Government?

Lord *Althorp* said, that the Government would issue no instructions whatever to the Commissioners, who would be guided entirely by the Act, and by their own judgment. The whole body of Commissioners would decide on the respective duties of the aliquot parts of their number, and these respective bodies would proceed, under those decisions, to make the divisions which should be allotted to their arrangement.

The Order of the Day for the further consideration of the report of the Committee on the Reform Bill was read.

The *Speaker* said, he wished to direct the attention of the House to the course which it would be now necessary to pursue. On examining the lists, he found notices had been given of many alterations to parts of the Bill which had already passed. But the House would first have to agree to the amendments suggested by the noble Lord this evening, if they were agreed to, then each of the former notices would come on in its turn as it stood in the list. If any alterations intended to be proposed were included in the amendments which were now brought up, they could be included, and made part of any discussion to which the amendments might give rise.

Mr. *Croker* suggested the expediency of not reading any clauses except those in which amendments were proposed.

The *Speaker* said, if any hon. Gentleman would now state what amendments he intended to propose, it would then be seen whether such amendments were comprised in the Bill or not.

Mr. *C. W. Wynn* thought it would very much meet the convenience of the House to re-commit the Bill, with the understanding that the Report should be agreed to without discussion.

Lord *Althorp* said, that he had so much experience of the Committee, that he did not feel disposed to go into it again. The first amendment which he had to propose would be in the sixth clause. Any Gentlemen having to propose amendments to previous clauses, must take their opportunities as the clauses were read. The Amendment he had to propose in the sixth clause was merely of a verbal nature.

The question, " That these amendments be now read a second time" was put, and it was finally arranged, that the amendments should be severally proposed according to the order in which they stood in the Bill.

A number of verbal amendments were then read, *seriatim*, and agreed to.

On the Clerk reading the verbal amendments in the 21st, or 10*l.* qualification clause,

Mr. *Trevor* said, that the increase in the number of voters which the clause, in its present state, would occasion, must, necessarily, be productive of considerable tumult and confusion at elections. It would be a near approach to Universal Suffrage. In the suburbs of the metropolis, and some other large towns, persons renting houses at a much higher rate than 10*l.* a-year, received parish relief. He was persuaded that 20*l.* was quite low enough. He would, therefore, move, " That the household franchise in and round London, and in all commercial and manufacturing towns, be raised from 10*l.* to 20*l.*"

Lord *Althorp* said, he should most certainly oppose the amendment; it went to destroy the very principle of the Bill.

The amendment was negatived.

On that part of the 22nd Clause being read, which limits the right of voting in cities and boroughs to persons who shall have resided for six months in, or within, seven miles of such city or borough, next previous to the time of voting,

Mr. *Trevor* said, this would be too great an encroachment on the rights of non-resident freemen: he should, therefore move, that the distance be twenty, instead of seven miles.

Lord *Althorp* said, that such a change would affect one of the principles of the Bill. He thought seven miles would include all those freemen who had a direct interest in the welfare of the place.

An *Hon. Member*, on the Ministerial side, suggested, that ten miles should be a compromise between the two distances.

Mr. *Hughes Hughes* thought, that as fifteen miles was to be the distance for freeholders to travel to the poll, the same distance would be fair for freemen in boroughs.

Mr. *Estcourt* was favourable to the greater distance.

Colonel *Sibthorp* thought fifteen miles not too much to travel to enjoy the privilege of voting.

Lord *John Russell* thought seven miles the most reasonable distance, because it was a distance which a man might travel without being entitled to claim a large sum from the candidate on account of travelling.

Mr. *Goulburn* said, that the noble Lord had not kept that principle in view in other parts of the Bill; for in many of the opened boroughs, voters would have to go a distance of seventeen miles.

Mr. *Trevor* would adopt the suggestion of the hon. member for Oxford, and reduce the distance in his Amendment to fifteen miles.

Mr. *Croker* rose amid a cry of "question" from the bar; he said he was sorry to delay the Gentlemen who had just entered the House, but consoled himself with thinking, that he should, perhaps, stand between them and a division in which, from not having heard the debate or even the question, they might possibly have made a mistake, and not have voted on the right side. His object in rising was, to observe, that he concurred in the Amendment; but considering that the subject had been already fully discussed in the Committee, and considering also the state of the House, and the state of business, and of the season, he did hope that his hon. friend would not again debate and divide on questions which had already occupied the attention of the Committee so long.

Mr. *Baring* asked, how were they to understand seven miles distant? Was it to be from the place of taking the poll, or from any part of the borough?

Lord *Althorp* said, it was intended to be seven miles from any part of the city or borough.

Sir *Charles Wetherell* said, the expression so often made use of by the noble Paymaster of the Forces during this evening, and adopted by his friends, that the distance (seven miles), which he presumed meant from any part of the place at which the right of voting originated, was the natural limit pointed out by the circumstances, reminded him strongly of a somewhat similar expression in fashion when the same political parties (the Whigs) were in office, and continually during the debates of that period on the subject of the income tax, for three months, namely, that the duty of ten per cent on property was the natural proportion that property ought to pay to the State. Perhaps there was equal truth and correctness in the calculation of 1831, as in that of 1806. He would therefore suggest to the noble Lord to split the difference, and then they should have a "natural limit" of ten miles.

Lord *John Russell* said, they understood the clause in the same sense as the hon. and learned Gentleman, that seven miles from any part of the place where the right of voting originated, was meant.

Mr. *Trevor* would adopt the sugggestion of his right hon. friend, the member for Aldeburgh, and not press his Amendment.

Amendment withdrawn, and the clause, with the verbal Amendments proposed by the Minister, agreed to.

The first part of the 23rd Clause, appointing Commissioners, was then read. The first name, that of the right hon. John Abercrombie, was agreed to.

Upon the Question being put "that the following persons, Members of the House, be appointed Commissioners under this Act—Edward John Littleton, Esq., Davies Gilbert, Esq.,—

Mr. *Croker* said, that he had very strong objections, not of a personal nature, but on public grounds, to many of the individuals named as the Commissioners, but as he had had an opportunity heretofore of making his objection in the Committee, an opportunity, however, of which, in consequence of a temporary absence, he did not avail himself; but as he had had the opportunity, he did not think that his absence when that part of the subject was discussed, would justify him now in raising a debate on this part of the clause. He rose, therefore, not to enter upon the subject now, but to protest against his silence being considered as implying an approval of the choice of the Commissioners, in some instances, and against its being understood, that he should thereby be precluded from adverting to the subject at a future stage of the Bill, when, by common consent, there was to be a general discussion of the whole measure. He hoped that, at that period, he should not be thrown back, and told, that he had let the time pass when his objections would have come more regularly on the bringing up of the report. He preferred urging his objections on the third reading, when he should take a review of the whole measure.

Lord *Althorp* said, it would be competent to the right hon. Gentleman to make his objection at the third reading.

Colonel *Sibthorp* objected to any Members of that House being named as Commissioners, particularly if they were taken from one side of the House, and had already supported the Bill. They would, of course, endeavour to uphold what they had supported in that House. He should therefore move, that the names of the member for Staffordshire (Mr. Littleton), the member for Bodmyn (Mr. Davies Gilbert), and that of J. Wrottesley, Esq., be omitted from the list of Commissioners.

Lord *Ingestrie* seconded the Motion. He had a high respect for the hon. member for Staffordshire, but, on principle, he could not approve of any Member as a Commissioner who was a partizan for the Bill. He thought it was highly objectionable that they should have in the list one member for Staffordshire, and the son of another.

Lord *John Russell* observed, that, of the two Members selected, one had voted for the second reading of the Bill, and the other against it.

Sir *Richard Vyvyan* said, as he had promised to vote for a motion of the hon. member for Lincoln which stood for to-morrow, he did not know whether that hon. Member intended to move it that evening. He certainly concurred with him in thinking, that no Member of that House ought to be placed on the Commission. To enact that any Member of that House should be appointed by the Bill to carry such an important part of it into effect—to have the power of deciding who should or who should not have a right to vote, was a proposition so glaring and flagrant, as, in his opinion, had never before been submitted to Parliament. He did not look to the power which they were to have of making a geographical division of counties, for much of that was already effected; but his great objection was, that any Members of that House, or that any Commission should have the power of deciding, who were or who were not the persons who should have the right of voting in the places adjacent to cities or boroughs. It would scarcely be believed, that in legislating on the formation of a new Constitution, such an anomaly as this was allowed to pass. He had hitherto abstained from taking any prominent part in this Bill, because he believed that Ministers would never be able to carry it, or to make it a permanent measure. If they had wished for a sound plan of Reform, they might have one more general and simple—one embracing more of the property of the country. The plan they had proposed was full of the most glaring anomalies, but none were greater than that of naming a Commission to say who should or who should not have the right of voting. He would state his belief, that this Bill would never pass into a law: but if it should pass, it would be by resorting to measures so strong as had never before been resorted to for any political purpose; but unless the principle of vote-making, on which this Commission was founded, were extended to higher places—unless the plan of faggot-votes were adopted, the Bill would never pass. But if this were adopted, what would be the opinion of the country? When inquiry should be made, why this man and the other had been raised from what they were to what they should then have become, and to what, from the very nature of the circumstances out of which the change in their station had arisen, they could not long enjoy—the answer would be, that they were faggot-votes, that they were faggot-peers, who were made for a particular purpose, and who could not be expected to enjoy their elevation for more than a year or two. For, as he had already observed, the very circumstances out of which the change had been made with respect to them, it was not to be expected that they could long continue to enjoy their new station. He repeated his conviction, that without some faggot-votes elsewhere the Bill would never pass; and even then, if it did, it would be necessary to have another Bill, to give the people that which this Bill professed to give, but which it would never confer—a full, fair, and free Representation in Parliament.

Lord *John Russell* said, the reason why the hon. Members alluded to were appointed was, that as questions would arise on the decisions of the Commissioners, it would be extremely convenient that some of them should be present who could explain the grounds on which those decisions had been made. The reason why the hon. member for Staffordshire was named, was, that he was a person who could apply his mind most usefully to the object of the Commission. Another person, whom it had been proposed to omit, was Mr. Davies Gilbert, who had lately been President of the Royal Society; a man more eminent, in this country and in foreign countries, for his scientific pursuits, than for any degree of party zeal or party spirit. These were not the only Members they had proposed. Of these two, one had been in favour of the Bill, the other opposed it, though not with the violence or vehemence of others. Another, who was a decided opponent of the Bill, and who it was intended to name as a Commissioner, was the hon. member for Radnor (Mr. Frankland Lewis), who, after considering the matter for some time, told him (Lord John Russell) that he did not like to undertake the office, as he had expressed a strong opinion regarding the Bill, and intended to oppose it at a future stage. If it was an accusation against his Majesty's Ministers that they did not put persons in the Commission who opposed the Bill—he answered that they had proposed a person who was not friendly to the Bill. There was another gentleman, not a member of that House, whom it would have been a great omission on their part if they had not proposed to take part in the commission—Mr. Sturges Bourne; but he had expressed his determination (however he might be disposed to co-operate in a public object like this) not to take any part in the Commission. Some Gentleman had said, that the Commissioners were persons generally favourable to the Bill; but although they might be persons favourable to what was termed a liberal line of policy, he did not, therefore, conclude that they would enter warmly into politics in favour of one party or another, or that they were men likely to swerve from what they honestly thought was most practicable and expedient for the country in the division of counties. If the hon. member for Launceston meant to make any charges against the Commissioners, he begged to say, that he was ready to meet those charges, and he would contend, that the great respectability and integrity of the gentlemen in the list rendered them as fit to discharge the duty as any persons who could be proposed. They were the persons whom Ministers had proposed, and the House in its deliberate judgment was to approve. The hon. Baronet (Sir R. Vyvyan), in the warmth of his declamation, had reminded him of the speech delivered by the hon. Baronet, on the last day of the last Parliament, when he seemed to be influenced by a presentiment of that rejection which he had subsequently met with from his constituents. The hon. Baronet had thought fit to attack them, as Ministers of the Crown, on these nominations, though he seemed to have forgotten what other Members, more temperate and sedate, had been aware of—that these Commissioners had not the absolute power of deciding the boundaries of counties; that their office was merely to make a report, and on the adoption of that report by both Houses of Parliament, and an Address to his Majesty, those boundaries and limits would be settled, not at the will and pleasure of the Commissioners, but by the deliberate adoption of their report, and its confirmation by his Majesty and both Houses of Parliament. Besides his charges, the hon. Baronet had ventured, to deal in prophecies and prognostications. Through these he should not attempt to follow him; but one of them he would just notice. He told the House, in his vision of futurity, that this Bill would not be passed—that it would never become law. He did not pretend to the same power of prophecy; but would risk an affirmation that this Bill would be passed, and that it would become law. "The difficulties," continued the noble Lord, "I admit, are still great, but the feeling of the country in favour of the Bill continues unabated. I trust, therefore, as well to the inherent merits of the Bill, as to its adoption by the country, that I shall see this Bill soon pass into a law; and I will not be seduced by any remarks or allusions which the hon. Baronet may make, in the summit and height of his indiscretion, to enter into discussions as to what will be the fate of the Bill in the other House of Parliament, where, when it shall have passed this House, it will go to receive that consideration which it will deserve, seeing that it will come from a House of Commons elected by the people, called, as they had been, to elect a House of Commons on that special ground. I say, coming from a House of Commons so elected, where this Bill has received a deliberate consideration, I am sure it will obtain in the other House that consideration which is due to a question of the Reform of the House of Commons, supported by such authority, and coming from such a body, backed by the feelings of the country; and I am sure, much as the Bill has been maligned here, much as the hon. Baronet and his friends have tried to vilify it, and to diminish the benefits which we say will flow from this measure, that a Bill which has obtained the approbation of the House of Commons, of the Government, and of the country, deserves to be passed into a law."

Sir Richard Vyvyan rose, but was interrupted by cries of "spoke," "order," "question."

The *Speaker* said, the question was, whether the name of Edward John Littleton stand part of the clause.

Sir Richard Vyvyan again attempted to speak, but was called to order.

The *Speaker* said, that it was a question, not of order, but of recollection. If the hon. Baronet had spoken after the question had been put, he had not a right to speak again. If he had spoken before it, he had a right. The hon. Member knew which was the fact

Sir *Richard Vyvyan* said, he felt it necessary to address some observations to the House, after the personal appeal which had been made to him, in rather an uncalled for way, by the noble Lord. He would not have addressed the House again upon this clause, if he had not been called upon in language which, he must repeat, was uncalled for. He had spoken in general, the noble Lord in individual, terms. If he had lost the confidence of the majority of those who had formerly returned him, at least he was entitled to speak the sentiments of the thousands who had voted for him; and although the representative of Oakhampton or of any other borough, he should always claim as great a share of independence as the noble Lord opposite, and as much patriotism as those who sat beside the noble Lord. He would, therefore, offer his opinions to the House, regardless of the noble Lord's taunts upon himself; and although he might not admit that he had been indiscreet in saying what he had said, for there was no indiscretion in alluding to the progress of the Bill; yet, when he looked at the form of this clause, and considered the influence which it would confer, and the unnecessary machinery which it contained, he confessed he had been tempted to say more than he had intended to say; but he could not allow that it was an act of indiscretion. With respect to this clause, he asked, why should any engineer be appointed? What had engineers to do with the constitution of Parliament? Any thing more absurd and childish than the appointment of an engineer for this purpose, he never heard. It was not a question of hill and dale, and a more childish arrangement could not be well imagined. As to the appeal which, the noble Lord said, had been made to the country, he knew that such appeal had been made by his Majesty's Ministers, accompanied by such a plan of alteration in the Representation of the people as had never been seen before. Under these circumstances, could there be any doubt, at the time of the appeal, what the effect would be? The moment he heard of it he was persuaded, that they would carry any bill of that kind in that manner. This might be a subject of congratulation to his Majesty's Ministers, but they would find they had raised a spirit which they could never again lay. But the noble lord said, he had indulged in prognostications; but were not the Ministers also prophets? Why did they bring this Bill forward? Because, they said, there was no alternative but reform or revolution; and if the Bill was carried, all would be peace and tranquillity. Was there no prognostication in that? Had they had any proof, in the examples of other countries which enabled them to announce such effects from it? So far as the evidence of experience went, he might cite examples to prove, that any great attempt to make a change in the supreme legislative institutions of a country was always productive of evil; and he could defy them to produce examples to refute his assertion. So much for their prognostics, and so much for his. When the Parliament was dissolved, he said that a revolution had then commenced. And why did he say so? Because his Majesty's Ministers had appealed to those who were interested in upsetting the existing state of things in the country. The noble Lord said an appeal had been made to the people. To what people had that appeal been made? To those people whom they were now pronouncing unfit to exercise the elective franchise, and whom they were depriving of rights which they had enjoyed for a long period of time; and what proof had they, that in a year or two hence they might not be told that the new Legislature had been elected by persons who were not fit to exercise the privileges of a constituent body—that this Bill was passed by a Parliament declared to be corrupt—that it must be altogether without authority or operation, because the Parliament which passed it had, by that very Act, declared its own incompetency and usurpation? How could they tell that the Bill might not be rescinded on these grounds? He knew that this was not a time to propose a plan of Reform; but those who sat in the last Parliament might recollect, that when he moved the postponement of the second reading to that day six months, he said it was his intention to propound a resolution declaring the necessity of some Reform. He assured the noble Lord, upon his honour, that it was not from his own feeling that he had not proposed the Resolution as an Amendment upon the second reading. Whatever he thought that Reform ought to be—whether it ought to consist of giving Representatives to large towns, or of any interference with those boroughs which were called rotten boroughs, because they contained but few inhabitants—he confessed he had not at that time made up his mind, because it must have been guided in a great measure by the sense of the House. But he felt that the House was now in a different position. An appeal had been made to the people. His Majesty's Ministers had set themselves at the head of a movement such as had never before been seen in this country. Those Members might be accused of abandoning their principles who, having been formerly opposed to all Reform, were now inclined to accept a modified Reform. But what was the necessity which caused this? His Majesty's Ministers, the King's servants, had submitted a plan to his Majesty's subjects, and had called upon them, by all their feelings of honesty to their King, and by every principle of loyalty to those who were set over them—and he hoped such feelings might never be abandoned or forgotten—to support their plan, extensive in its objects, but, as he contended, impossible to be efficient. The time was, therefore, past. It was no longer in the power of those at his side of the House to resist some change. They thought this Bill bad; they wished for something that might be permanent. They saw no principle of permanency in this measure. They wished to have a House of Commons which would not quail to any seditious assembly, which would maintain its own power, and which would exert itself to give stability to property, being careful only to make slight and gradual alterations. This was the apology which he made for saying, that he was now a Reformer to a greater extent than when the Bill was first brought forward. It was impossible to resist the appeal which had been made, for his Majesty's Ministers had appealed to a power which no Government in its sober senses had hitherto appealed to. He said that this Bill contained as many anomalies as the old system, which was now so much reviled, and in no instance did he find an anomaly more gross and flagrant than in this clause. Those who were rejected by the Commissioners, would naturally feel themselves unjustly treated, when others similarly circumstanced were preferred to them. There ought to be some security that those who should be returned hereafter would not overturn the institutions of the country. As to delay, it was monstrous to make such a charge, when the House had been but four months engaged upon a measure of such vast importance as this. It might be satisfactory to some, to think that the Bill would be carried by means of arguments, which he would not only call seditious, but to which he would apply a stronger term, and designate them as treasonable, if they were meant to intimidate those in another place, and compel them to pass the measure in spite of their inclinations. He believed the power was now in the hands of his Majesty's Government, accompanied by a more tremendous responsibility than any other Government had ever sustained. He feared they did not perceive the position—the tremendous position—in which they stood at the present moment. He believed they had the power, and might decide by a single dash of the pen, or a few signatures, that the Bill should pass. But that power involved so terrific a responsibility, that he thought that Government would be a bold one which, without any precedent, would force on a measure carrying with it the annihilation of that body which it affected to increase. The country was in a tremendous situation, but he trusted that it would long find, as it had hitherto found, its interests carefully guarded by those who constituted one of the great bulwarks of the Constitution. Let every man who enjoyed hereditary privileges, he cared not how high might be his station, recollect that the general interests of the country should be protected: —that their power was upheld from a consideration that it existed for the advantage of the country, not for themselves. Power was possessed by the few for the benefit of the many. If he had no other reason for saying what he had said, than that at this moment the French Chamber of Peers was held up in triumph to the people of that country, he thought that he was justified in pointing to that as a warning. There never had been a time when all those who had any thing to lose ought to look with more anxiety to the course of proceeding than at present. If he and others said this, believing it to be so, why should they not suppose that there were individuals in another place who would entertain similar sentiments, and would do all in their power to protect the institutions of their country? As to the admonitions with which the noble Lord had favoured him, he thanked him. As long as he was a Member of that House—whatever constituency he might represent—he would do his duty. He had the same respect for a Representative elected by two as by 20,000—because he had the same respect for a Peer, who was elected by nobody, as for those who were the Representatives of the mob. He could assure the noble Lord that he was now, like him, a Reformer, although he was not an advocate for this Bill. He would say, on behalf of those who had opposed the Duke of Wellington, that they knew well that Earl Grey's party would come in—that Earl Grey would be Prime Minister. Indeed, such was the conjecture of every rational man—they were even prepared to consider his views, or what they believed to be his views, with respect to a Reform in Parliament; but it appeared that they had been most strangely mistaken with regard to the extent of his reformation. The country had suffered in consequence of that vote by which the Ministers had gained; but the Opposition voted without any personal object; and he believed that a time would come when their motives would be duly appreciated, even by those who had done their best to turn the members of that Opposition out of Parliament. He must apologize for having so long trespassed upon the time of the House; but he should not have done justice to his friends about him, or himself, or to those who voted for him at the contest to which the noble Lord had alluded—had he not made some remarks in reply to the personalities of the noble Lord.

Mr. *Hudson Gurney* said, the hon. Baronet had made a long and eloquent speech, touching on various subjects, and the conduct of Members, before Parliament was dissolved; but he could not help saying the hon. Baronet had attacked the clause appointing Commissioners with unnecessary severity. He was not an admirer of the Bill, but if counties were to be divided, it must be done by some one, and experience showed that the House of Commons was not the best instrument to undertake the duty. It was impossible that a fairer list could be drawn out. It had no political complexion, and two of the Commissioners, with whom he had some acquaintance, were decided opponents of the Bill.

Mr. *Baring* admitted, that for the division of counties the Commission was unobjectionable, but when they came to the division of boroughs, and the regulation of the right of voting, he would say, that the power granted to these Commissioners should not be granted to any individuals whatever. Suppose the case of a borough which had nearly 300 voters, for want of a few to make up that number, these Commissioners would have the power to bring in a large body of voters from twelve to twenty-one miles. This was a power so enormous, so unprecedented in the history of the country, that he looked with jealousy upon any body of men, however respectable, who might have to exercise it. The necessity of employing them regarding boroughs, might have been obviated by the simple means of taking the 10*l.* householders as far as they would go, then householders of a smaller rate, and lastly, scot and lot voters, if a given number could not have been made up without them. He considered that he had done only his duty in supporting the institutions of the country, and certainly should not complain if he found himself in the same situation as such men as Sir Thomas Acland, Sir Edward Knatchbull, Mr. Palmer, and others. He was sure the country hereafter would do justice to their endeavours.

Mr. *Hunt* thought it would be better if Members of Parliament were left out of the Commission; it would be more satisfactory to the country. The noble Lord had spoken in rather a high tone, when he said, not indeed that the Bill should pass, but something near it—that the Bill would pass. Notwithstanding this high tone, and notwithstanding the noble Lord's declaration that the feeling of the country was still as warm as ever in favour of the Bill, he was prepared to state, that the opinion of the country was not so warm as it had been—that the people were not so anxious about the Bill as they were at first. He would now ask his Majesty's Ministers, whether they had read what appeared in the leading journal of yesterday? He would ask them, whether they were of opinion that that was the sort of language and the tone to be taken by a journal professing to be under the influence of his Majesty's Ministers? The noble Lord, the other night, referring to a statement of his (Mr. Hunt's), had called it a most monstrous proposition. He would ask the noble Lord, if that language and those threats to the other House were the most likely way to effect his object? He (Mr. Hunt) could enter into the feelings of noble-minded and honourable men; and if he was a Peer of Parliament, as he was not, and never should be—if he was a Member of that noble House, and heard, day after day, threats from the Press, and the remarks in that House, even if he had given his consent to the Bill before, he would stand up and oppose it. Nothing could induce him to yield to such menaces, if the consequences were even the sacrifice of property and title. Endeavours had been made to put down him also by intimidation; but nothing that the bullies of the Press said against him should deter him from his duty. He hoped the Bill would pass. He did not care if it did not. What he rose to say was, that if this question came to a division, he should vote against Ministers. He did not care whether the Bill passed or not. He did not anticipate much good from it, whatever others might.

Mr. *Henry Grattan* said, the hon. Baronet, the member for Oakhampton, upon the mere question whether certain Members should remain attached to the Commission, had entered into the details of the French revolution, the state of the Chambers, the Wellington Administration, and faggot votes. Something had been said about the right of young Members to express their opinions with pertinacity, but he would say, in the days of Mr. Fox and Lord Castlereagh, no young Member would have made the speech they had heard from the hon. Baronet. He contended the hon. Baronet had mistaken the clause respecting the division of counties. He would strictly avoid the parliamentary conduct of the right hon. Baronet, for he had heard the hon. Baronet, upon one night, argue in opposition to what he had contended for the night before. This was the case with respect to the Irish Reform Bill. The hon. Baronet might not respect the Treasury benches, but the people of England he must respect, although he was a Member for one of those boroughs which deprived the people of their rights.

Mr. *Goulburn* said, that considering the hon. member for Meath rose for the purpose of recalling the attention of the House to the question before it, he must say, he had rarely heard a more unsuccessful attempt than had been made by that hon. Member. He would not follow the course of the hon. Member, but adhere to the particular question before the House. He entertained a high respect for the hon. Gentleman whose name it was proposed should stand part of the clause, but he had a public duty to perform, and in the conscientious discharge of that duty, he must oppose the Motion. Mr. Littleton had been a Member of that House throughout the discussions upon the Bill, and therefore, it was indelicate, injudicious, and improper, to name that hon. Gentleman as one of the Commissioners who were to decide the boundaries of the new boroughs, and to divide the counties. He certainly was astonished at the noble Lord naming his hon. friend as a Commissioner, after the manner in which his right hon. friend, the member for Radnor, had declined allowing his name to make one of the same list. The reasons given by his right hon. friend for his refusal, were at once so delicate and so proper, that he wondered they had not prevented the noble Lord from placing the name of any Member of that House upon the list of Commissioners. But, said the noble Lord, the character of Mr. Littleton is unimpeached. He admitted that to be the fact; but that was no reason why the House should depart from an important principle, and in so doing, place Members in a situation in which their characters might be brought in question, and the confidence of the public in Parliament consequently weakened. He objected particularly, to a Member of that House being appointed who was connected with the districts to be divided, and if he was rightly informed, the hon. Gentleman in question was intimately connected with some of those new boroughs to be created. Why was it, that in Election Committees the parties interested were allowed to strike out so many names? It was not because that House entertained any doubt of the efficiency of the Members appointed, or of the integrity and purity of their characters, but in order that the public should not have any ground whatever for questioning the conduct of the House. He readily admitted the high character of Mr. Littleton; but that hon. Gentleman had strong political feelings, and he had shown those feelings upon more than one, two, or three occasions with respect to the Reform Bill. But, said the noble Lord, if there be no Members of Parliament among the Commissioners, who is to defend or explain the conduct of that body to the House? That argument might do very well for the night; but surely the noble Lord must have known, that it was good for nothing more. Had not the House of Peers to address the Crown upon the Report of the Commissioners; and if the House of Commons required to have some of the Commissioners taken from among its Members, in order that the views of that body might be explained to it, might not the House of Peers make a similar demand? But he contended, that that House wanted no such assistance as that contemplated by the noble Lord. All that that House wanted, was a Report framed by such Commissioners as were entirely free from suspicion, and it had local information and knowledge sufficient within itself to enable it to properly appreciate the arrangement recommended. He, therefore, opposed the Motion; not on the ground that any imputation could be cast upon the character of Mr. Littleton, but upon the ground, that his hon. friend, being a Member of that House, and a party to the Bill, would subject his conduct to suspicion, and consequently prove injurious to the character of the House. The argument the noble Lord appeared to rely on was, that it might be necessary some Gentlemen, Members of that House, should take a part in the Commission, to explain the grounds on which certain districts were to be divided. There was to be an Address to the Crown on the Report of the Commissioners, to which the House of Lords must be a party. But he had not observed the name of any noble Peer to the Commission. The noble Lord would, therefore, appear to deny that right to the other House which he seemed to think it right should be conceded to this. In the few remarks he had made, he had purposely avoided discussing the principle of the clause, which he considered to be extremely objectionable, and had spoken with a view to render that clause as perfect as possible.

Lord *Althorp* said, the right hon. Gentleman had certainly kept his word, and strictly confined himself to the question before the House. The right hon. Gentleman had said, that if Members of that House were required to assist the House in coming to a just decision, why then the House of Peers would also require some similar assistance. He (the Chancellor of the Exchequer) did not see how Peers could be appointed Commissioners, for that would be a direct interference with the privileges of that House. He certainly was astonished to hear the right hon. Gentleman object to the appointment of a gentleman to the office of Commissioner who had expressed a decided opinion with regard to it. He admitted, that if the name of the proposed Commissioner was that of one who had betrayed strong party feelings, it might be some ground of objection, but surely nothing of that sort applied to the present case. The clause was necessarily such as required either Commissioners or a Committee; the latter must be composed of Members of Parliament, and, therefore, the former was the more eligible. The right hon. Gentleman (the member for Radnorshire) had not declined acting as a Commissioner because he was a Member of that House. He had heard no reason advanced which ought to preclude Members of that House from being appointed Commissioners.

Mr. *Croker* thought it would be more desirable to take the final sense of the House upon this question at another period—but still, should the sense of the House be taken that night, he should vote for the amendment. He objected to the appointment of Mr. Littleton as one of the Commissioners, not merely on the ground that that gentleman was a Member of Parliament, but that he was a Member of this particular Parliament, that he had distinguished himself by a good deal of zeal in behalf of one party in the House, that he was moreover a Member for one of the counties that were to be divided, and that he had, as Mr. Croker had been informed, an interest in one of the new boroughs. He would not, however, then go into the question. Were he inclined to do so, there were several other names he should object to. He should object to the first name on the list—that of a learned Judge, the Chief Baron of Scotland. He also found in the list the names of a defeated candidate for a borough, and of an agent for a defeated candidate. Those gentlemen might be highly-respectable characters, but the public would not believe that they were impartial, and their names ought not to appear in the list. He rose not, however, to discuss the subject, but to suggest to his hon. and gallant friend, the propriety of withdrawing his amendment.

Colonel *Sibthorp* acceded to the suggestion of his right hon. friend, and would take the sense of the House upon the subject on the third reading of the Bill.

The question, that Mr. Littleton's name should stand as one of the Commissioners, put and agreed to.

The following names were also agreed to:—Davies Gilbert, Esq., W. Courtenay, Esq., H. Martin, and W. Wingfield, Masters in Chancery; Sir J. W. Gordon, Bart., H. Hallam, Esq., F. Beaufort, Esq., R.N., Launcelot Baugh Allen, Esq., H. Gawler, Esq., T. Birch, Esq., W. Leake, Esq., Benjamin Annesley, Esq., J. T. Chapman, Esq., R. Dawson, Esq., T. Drummond, Esq., J. E. Drinkwater, Esq., T. F. Ellis, Esq., B. Kerr, Esq., T. B. Lennard, Esq., W. Orde, jun., Esq., J. Romilly, Esq., R. J. Saunders, Esq.

Mr. *C. W. Wynn*, in reference to two or three of the names which had the addition of "Royal Engineers" appended to them, asked what was the reason why so many of the Commissioners were taken from the Royal Engineers?

Lord *Althorp* replied, that as the Commissioners would have the power of surveying the boundaries of districts, it was desirable to have some engineers in the Commission. In answer to the right hon. Gentleman's question, he would rather ask, what objection could there be to have gentlemen from the Royal Engineers in the Commission?

On the name of the Reverend R. Sheepshanks occurring,

Lord *Stormont* asked how it was, that a clergyman's name appeared in the list? He thought it extremely improper, and that the rev. gentleman ought not to desert his parishioners for the purpose of engaging in political duties.

Lord *Althorp* said, the reverend gentleman could not desert his parishioners, for he had none to desert. He understood that the reverend gentleman was a very scientific man, and a highly-respectable character.

Mr. *Croker* said, he was really much astonished at this appointment. He remembered the time when hon. Gentlemen opposite had no greater delight than hunting as they called it a political parson, and now they proposed, most unnecessarily, to make one. He supposed it was in vain to offer any suggestion, and, therefore, he would only say, that he wished the reverend gentleman more joy of his zeal than he could of his taste.

Mr. *Pringle* said, that a clergyman without the cure of souls was an anomaly which did not exist in the northern part of the island. If the reverend gentleman, however, had no parishioners, he supposed he had some spiritual duties to perform. He, therefore, protested against such a person being called upon to perform political duties: such an appointment could only be justified by the strongest reasons of political expediency. But there was no such necessity in this case; many persons could be found equally well qualified for the office as the reverend gentleman.

Mr. *C. W. Wynn* said, that unless the duties to be performed by the reverend gentleman were such as could not be performed by any one else, the appointment was extremely objectionable. He wondered that any clergyman could be found willing to undertake the duties of a Commissioner.

Mr. *Trevor* also, would enter his decided protest against this appointment.

Sir *Richard Vyvyan* wished to be informed how, under this clause, would the House be able to ascertain whether the Commissioners had acted fairly, if complaints should be made by any parties against their decision.

Lord *John Russell* said, that if it could be shewn that any partiality had been exercised, the House would, of course, interfere to protect the parties from the decisions of the Commissioners. In reference to the gentlemen in this commission generally, and the clergyman in particular, hon. Gentlemen were quite mistaken when they supposed, that it would be the duty of the Commissioners to attend to the political interests and principles of the proprietors in those districts which they would have to divide. The Commissioners would have a defined duty to perform in the settling of those districts, and in the performance of it they would not be swayed by any particular interests.

Sir *George Clerk* entirely agreed with the view taken by the noble Lord, as to the duties of the Commissioners, but he contended, that the only way to have these duties satisfactorily performed, was to appoint such gentlemen as Commissioners as were entirely free from suspicion. Pains also should be taken to keep the Commissioners uninfluenced. Why, for instance, was not the principle acted upon in the case of Barristers examining the registers of votes followed out? A Barrister examining a register, was rendered incompetent to sit in that House for eighteen months after having performed that act, and why should not a Commissioner be rendered incompetent to serve in the first Parliament after he had acted in that capacity?

Lord *Althorp* said, if so many restrictions were to be imposed upon the Commissioners, they would not get any person to undertake the duties who were competent to perform them.

Mr. *Stuart Wortley* said, the Bill provided, that sixteen of the Commissioners, at least, should be present at the framing of the general report. He supposed, that the intention of the Government was, that an absolute majority should be present, but he thought that was not sufficient, and that, instead of one-half being required to be present, two-thirds, or three-fourths should be required. It also appeared to him, that as the clause stood, the object of the Government would not be attained, for a majority of sixteen Commissioners might carry the report, instead of an absolute majority of the thirty-one Commissioners.

The name of Mr. Sheepshanks was then agreed to, as were the names of all the other Commissioners.

The Chairman continued to read the 23rd Clause; on coming to that part which provides, "that the Justices of the Peace at Quarter Sessions, shall determine at what places the Courts for the Election of Knights of the Shire for the respective divisions of Counties, when divided, shall be holden,"

Mr. *Estcourt* protested against this provision in the Bill, which gave to Magistrates at Quarter Sessions the power of appointing the polling places. He would propose an Amendment which would have the effect of placing this duty in the hands of the Commissioners. He hoped that Ministers would allow such an Amendment to be received.

Lord *Althorp* said, the reason for imposing this duty on the Magistrates was, that they had the advantage of possessing local knowledge.

The Amendment negatived.

The Amendments of the 29th clause were read.

Mr. *C. W. Wynn* said, this clause had been materially altered in the Committee, and the effect of it would be, to give a double vote to certain classes of freeholders. This was the case of Shoreham ; the freeholders of that place would have a right to vote for the borough of New Shoreham as well as the county of Sussex.

Lord *Althorp* said, they had that right at present, and the clause merely secured it to them for their lives.

Mr. *C. W. Wynn :* Suppose the case of a non-resident freeholder, would such a person have a right to vote for both county and borough.

Lord *Althorp :* If the freeholder did not reside within seven miles, he would lose his vote for the borough.

Mr. *C. W. Wynn* so understood it, but what he desired to know was, whether a person living in a 10*l.* house, who would, of course, have a right to vote for the borough, would also have or retain, the right of voting for his freehold, because it was also situated within the districts of the borough of new Shoreham.

Lord *Althorp:* The occupancy of the house was wholly distinct, and had nothing whatever to do with the freehold, the latter was a reserved right, and entitled the possessor to a double vote for life.

Amendments agreed to.

The reading of the 29th clause was proceeded with.

Mr. *Wynn* said, the House knew the gross errors to which country Overseers were liable. Under the present Act, however, in case of a misnomer, a party so situated, would lose his right to vote without remedy. This would particularly occur in the case of freeholders who were non-Residents.

Colonel *Sibthorp* said, he agreed with his right hon. friend, both as to the carelessness and ignorance of Overseers, but there were other objections besides these to the clause. There was the expense to which large places would be liable, in making these returns, and he had no doubt they would hear many complaints of the additional rates imposed upon parishes by the operation of this Bill

Lord *Althorp* said, all these objections had been amply discussed in the Committee, and they had come to the conclusion, that the present was the best plan that could be devised to atain the objectin view.

Mr. *Wynn* said, it must be obvious, that many non-resident freeholders could have no means of correcting the returns. Suppose an ignorant Overseer mis-spelt a man's name, and nothing was more common, unless it was corrected before the registry, the person was disqualified. They had only to look at the Land-tax returns to find numerous examples of these errors. In large parishes there could be no proper control, and many names would be inserted which ought notto appear in the registries, he was satisfied there would be such frauds committed, as would make it necessary to amend the clause within a very short time.

Lord *Althorp* said, in reply to his right hon. friend, that for wilful errors or gross neglect, the aggrieved party had his remedy in an action, and there was always the appeal to the Barrister with every facility to obtain redress. He did not apprehend so much danger from fictitious votes as his right hon. friend seemed to entertain, but even in cases of this sort there was a remedy by action, while the House had also the power to inflict imprisonment.

Clause agreed to.

The 30th clause was agreed to.

The Report ordered to be taken into further consideration the next day.

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(Third Volume of the Session.)

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ERRATA IN VOL. IV.

Page 1151, line 9, in Mr. Courtenay's Speech, the words "to his motion" should be omitted, and inserted in line 11 after "the Opposition."

— 1432, line 2—3, for "motion made one," read "motion made for one."

— 1446, line 12, for "reduction of salaries," read "arrangement respecting official pensions."

ERRATUM IN VOL. VI.

The following List should have been inserted at page 1200.

List of the Minority *of Twenty,*

Who voted with Alderman Thompson—"That it was inexpedient to subject the owners of vessels to the payment of *5l.* 14*s.* 6*d.*, for their order of release from quarantine by the Lords of the Privy Council."

A'Court, Capt.
Bentinck, Lord G.
Callaghan, D.
Chaytor, W.
Fergusson, C.
Foulkes, Sir M.
Freshfield, J.
Hume, J.
Hunt, H.
Hudson, J.
Jeffrey, F.
Labouchere, H.
Lennox, Lord W.
Macintosh, Sir J.
Moreton, Hon. H.
O'Connell, M.
Ridley, Sir M. W.
Ross, H.
Venables, Ald.
Wood, Ald.

TELLERS.

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Thompson, Ald.

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